

The Department of State bulletin

Vol. XXVI, No. 671

May 5, 1952

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VOL. XXVI, No. 671 • PUBLICATION 4582

May 5, 1952

The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes selected press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

For sale by the Superintendent of Documents
U.S. Government Printing Office
Washington 25, D.C.

PRICE:
52 issues, domestic \$7.50, foreign \$10.25
Single copy, 20 cents

The printing of this publication has been approved by the Director of the Bureau of the Budget (January 22, 1952).

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Japanese Peace and Security Treaties Enter Into Force

U.S. DEPOSITS INSTRUMENT OF RATIFICATION

[Released to the press April 28]

The treaty of peace with Japan and the security treaty between the United States and Japan, both of which were signed at San Francisco on September 8, 1951, entered into force concurrently on April 28, 1952, at 9:30 a.m., eastern daylight saving time.

The treaty of peace with Japan was brought into force by the deposit at that time in the Department of State of the instrument of ratification by the United States. On that occasion, Secretary Acheson and the Legal Adviser, Adrian S. Fisher, made the following remarks, respectively:

"At this time I formally deposit the instrument of ratification by the United States of America of the treaty of peace with Japan.

With the deposit of this instrument the treaty of peace with Japan enters into force in accordance with the terms of article 23.

Mr. Fisher, it gives me pleasure to turn this document over to you to be placed in the archives with the signed original of the treaty."

"Mr. Secretary, I am happy to receive the United States instrument of ratification of the treaty of peace with Japan. It will be placed in the archives with the treaty.

The deposit of this instrument of ratification has brought the treaty into force on April 28, 1952, at 9:30 a.m., eastern daylight saving time. The treaty is now in force between Argentina, Australia, Canada, France, Mexico, New Zealand, Pakistan, the United Kingdom, the United States, and Japan."

Immediately after the deposit of the U.S. instrument of ratification of the treaty of peace with

EDITOR'S NOTE.—The signature by the President on April 15 of the treaty of peace with Japan and the security treaty between the United States of America and Japan constituted the U.S. ratifications of these instruments. [BULLETIN of Apr. 28, 1952, p. 658.] The treaty of peace with Japan provides in article 23 that it shall come into force when it has been ratified by Japan and by a majority of the 11 signatories named in that article, including the United States. As of April 23, Japan and 6 of the key Allied signatories have deposited their ratifications, including the United Kingdom, Australia, New Zealand, Canada, Pakistan, and France, so that the United States deposit will bring that treaty into effect. In the case of the security treaty between the United States and Japan, exchange of ratifications in Washington is provided.

For text of the treaty of peace with Japan, see BULLETIN of Aug. 27, 1951, p. 349 (also printed as Department of State publication 4330); for text of the security treaty with Japan, see *ibid.*, Sept. 17, 1951, p. 464.

Japan, Ryuji Takeuchi presented his credentials as Chargé d'Affaires of Japan to Secretary Acheson, and became the first diplomatic representative of Japan in the United States since the war. Mr. Takeuchi had been until then Chief of the Japanese Government Overseas Agency in Washington.

Secretary Acheson welcomed Mr. Takeuchi and then proceeded to exchange the instruments of ratification of the security treaty between the United States and Japan, bringing the security treaty into concurrent effect with the treaty of peace. A protocol of exchange was signed.

The ceremony was concluded with a statement by the President read by the Secretary and a message from the Prime Minister of Japan read by Mr. Takeuchi. The ceremony was attended by representatives of the countries parties to the treaty of peace with Japan and by other dignitaries.

Statement by the President¹

With the deposit of the U.S. ratification which brings into force the treaty of peace with Japan, the state of war has been terminated and Japan has been restored to a status of sovereign equality in the society of free peoples. This great event is especially gratifying to the Government and people of the United States who have worked in close association with the Government and people of Japan for its restoration as a prosperous and progressive nation. This common effort has strengthened the essential bonds of friendship between our two peoples.

The treaty of peace terminates the allied occupation of Japan and with it the entire regime of control and opens a new era in Japan's history. During the past 6 years, the Japanese people and government have worked to build a democratic and peace-loving nation with a sincerity and earnestness that has won them the respect of the world. The treaty of peace affords Japan an opportunity to make a great contribution to world peace and progress.

¹ Read by Secretary Acheson.

State of War With Japan Terminated

A PROCLAMATION²

WHEREAS the Treaty of Peace with Japan was signed at San Francisco on September 8, 1951 by the respective Plenipotentiaries of the United States of America and 47 other Allied Powers, and Japan;

WHEREAS the text of the said Treaty, in the English, French, Spanish, and Japanese languages, is word for word as follows:

(Here follows the text of the Treaty)

WHEREAS the Senate of the United States of America by their resolution of March 20, 1952, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Treaty with the following declaration:

"As part of such advice and consent the Senate states that nothing the treaty contains is deemed to diminish or prejudice, in favor of the Soviet Union, the right, title, and interest of Japan, or the Allied Powers as defined in said treaty, in and to South Sakhalin and its adjacent islands, the Kurile Islands, the Habomai Islands, the island of Shikotan, or any other territory, rights, or interests possessed by Japan on December 7, 1941, or to confer any right, title, or benefit therein or thereto on the Soviet Union; and also that nothing in the said treaty, or the advice and consent of the Senate to the ratification thereof, implies recognition on the part of the United States of the provisions in favor of the Soviet Union contained in the so-called 'Yalta agreement' regarding Japan of February 11, 1945."

WHEREAS the said Treaty was duly ratified by the President of the United States of America on April 15, 1952, in pursuance of the aforesaid advice and consent of the Senate and subject to the aforesaid declaration;

WHEREAS it is provided in Article 23 of the said Treaty that the Treaty will come into force for all the States which have then ratified it when instruments of ratification have been deposited by Japan and by a majority, including the United States of America as the principal occupying Power, of the following States, namely Australia, Canada, Ceylon,

France, Indonesia, the Kingdom of the Netherlands, New Zealand, Pakistan, the Republic of the Philippines, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and in Article 24 of the said Treaty that all instruments of ratification shall be deposited with the Government of the United States of America;

WHEREAS instruments of ratification of the said Treaty were deposited with the Government of the United States of America by Japan on November 28, 1951 and by the United Kingdom of Great Britain and Northern Ireland on January 3, 1952, by Australia on April 10, 1952, by New Zealand on April 10, 1952, by Canada on April 17, 1952, by Pakistan on April 17, 1952, by France on April 18, 1952, and by the United States of America on April 28, 1952;

WHEREAS instruments of ratification were also deposited with the Government of the United States of America by Mexico on March 3, 1952 and by Argentina on April 9, 1952;

AND WHEREAS, pursuant to the aforesaid provisions of Article 23 of the said Treaty, the Treaty came into force on April 28, 1952;

Now, therefore, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said Treaty of Peace with Japan to the end that the same and every article and clause thereof, subject to the declaration hereinbefore recited, shall be observed and fulfilled with good faith, on and after April 28, 1952, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, and do hereby further proclaim that the state of war between the United States of America and Japan terminated on April 28, 1952.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-eighth day of April in the year of our Lord [SEAL] one thousand nine hundred fifty-two and of the Independence of the United States of America the one hundred seventy-sixth.

HARRY S. TRUMAN

Japan takes her rightful place of equality and honor among the free nations of the world at a time when Communist imperialism, having already enslaved large areas and many unfortunate peoples, is seeking to extend its system of tyranny and exploitation by direct and indirect aggression. We are confident that the people of Japan are alert to this danger and are ready and willing to play their full part in meeting the common menace. For their part, the American people will continue to work with the people of Japan to promote peace and security in accordance with the purposes and principles of the U.N. Charter. To this end, simultaneously with the coming into effect of the treaty of peace, the United States has exchanged ratifications with Japan, and thus also brought into concurrent effect, the security treaty between the United States of America and Japan.

² No. 2974 (17 Fed. Reg. 3813).

Statement by John Foster Dulles

The American people join in rejoicing with the people of Japan who again have peace, freedom, and control of their own destiny as Japan today takes her place as an equal and honored member of the community of free nations. She is welcomed. A long hard road has come to an end.

A new way lies ahead. It will not be an easy way. Indeed, the future difficulties and problems are immense, not only for Japan but for every nation. We can, however, be confident that these problems can be solved in an atmosphere of peace and freedom and as between equals.

As our two nations have worked together over these past years we have found that even the most difficult problems could be solved if only we cared enough to take the time and make a serious effort to solve them. This can well be our motto for the future—let us care enough to make sure that the friendship now begun will endure for all the future.

Statement by Prime Minister Shigeru Yoshida³

Today, we have witnessed the consummation of the treaty of peace with Japan and the concurrent coming into effect of the security treaty between the United States of America and Japan.

This is a memorable day for Japan and the Japanese people.

In making our new start today, our people know that no nation can live unto itself, that no nation can draw dividends unless it contributes to a common world effort and invests in the common welfare of humanity.

We face a great test to human wisdom and human courage.

Today, stimulated by a broader vision and understanding of the principles of humanity, equality and justice, I can assure you that our people will proceed forward drawing upon the fount of our strength and unity. So rooted we can meet the challenge of our times.

On this memorable occasion I would like to express the gratitude of my Government and people for the enlightened and magnanimous statesmanship of the United States and other countries which has made this peace possible and which enables us to stand again as a full member in the community of nations.

A New Approach to Treaty Making

by John M. Allison

Assistant Secretary for Far Eastern Affairs⁴

Perhaps the most significant and constructive international action by the United States during 1951 was the negotiation and conclusion of the Japanese peace treaty and the Allied mutual defense and security treaties with the Philippines, Australia, and New Zealand. In a brief paper it is not possible to deal with these treaties in detail but certain aspects are of primary significance in the field of international law. These treaties broke new ground in the history of treaty making from several points of view. The conclusion of these treaties was an effective demonstration of cooperation between the executive and the legislative branches of the Government. The signing of the Japanese peace treaty, on September 8, 1951, in San Francisco by 48 nations, was also a great demonstration of allied unity. In my opinion it is no exaggeration to say that the results achieved were due primarily to the vision, imagination, and energy of one man, John Foster Dulles. Mr. Dulles would be the first to admit, as he has on many occasions, that he could not have accomplished what he did without the complete and understanding cooperation of President Truman and the Secretaries of State and Defense.

Of great significance was the demonstration of cooperation between the Executive and the Senate in bringing a treaty to the point of ratification.

Before 1918, ratification of treaties, at least in a large part of the world, was little more than a conventional formula, and generally speaking negotiators of treaties were certain that if they faithfully executed their instructions the treaty they signed would be ratified as a matter of course. With the development after the first World War of what at that time was called the "new diplomacy," and particularly as a result of the action of the United States Senate in refusing to consent to the ratification of the Versailles Treaty, it became clear that the old conditions would no longer automatically prevail. The fact that any treaty negotiated by the United States can only be ratified "by and with the advice" of a two-thirds majority of the Senate and the fact that such consent will not be given unless the required majority is convinced of the rightness of their action is a great safeguard against secret treaties or secret policies and is a necessary element in democratic control over foreign policy. However, it can at the same time be a highly inconvenient and inefficient method of carrying out national policy. In discussing this aspect of "democratic diplomacy" in his valuable little book on *Diplomacy*, Harold Nicolson states that—

while the new practice represents an immense gain in the direction of "open covenants" it is a terrible responsibility in respect of negotiation. The art of negotiation is severely hampered when one powerful negotiator demands concessions from his fellow negotiators without being in a position to guarantee that his own promises will similarly be fulfilled. If democratic diplomacy is to prove as efficient as its predecessors, this is one of the problems which it will have to solve.

³ Read by Mr. Takeuchi.

⁴ Address made before the American Society of International Law at Washington on Apr. 24 and released to the press on the same date.

Cooperation With Congress

Harold Nicolson wrote his book in 1939 just before the beginning of World War II. In my opinion, if he were writing today he could use the example of the manner in which the Japanese peace treaty was negotiated to show that democratic diplomacy has gone a considerable distance in solving the problem. From the time that he was appointed by the President on September 8, 1950, as chief U.S. negotiator until just one year later on September 8, 1951, when the treaty was finally signed, Mr. Dulles and his associates in the Department of State made a deliberate effort to keep the members of the Foreign Relations Committee of the Senate informed of what they were doing and the way in which they were doing it. During this period there was a series of meetings between Ambassador Dulles and the members of the consultative subcommittee on Far Eastern affairs of the Senate Foreign Relations Committee. At all important stages in the negotiation of the treaty, Ambassador Dulles consulted with the subcommittee and on several occasions with the whole committee on specific problems that arose. Suggestions were received from members of the committee as to how many of these problems might be solved, and these suggestions played a real part in the determination of the final text of the treaties.

Not only were members of the Foreign Relations Committee kept informed but Mr. Dulles made it a practice to discuss treaty matters with influential members of the Senate who were not members of the Foreign Relations Committee but who would be called upon to pass final judgment on the treaties themselves. There were also several meetings with members of the Foreign Affairs Committee of the House of Representatives. While the House of course has no direct part in the ratification of treaties, nevertheless it does have a part in passing implementing legislation by which treaties can be carried out, and it was therefore believed important that as many Members of Congress as possible should be kept fully informed. When the time came to send a delegation to San Francisco to sign the treaties, members of both the Senate and the House of Representatives were included on the delegation. This procedure, providing continuous consultation with the Congress, was proved to be justified when the treaty came before the Senate. It was approved unanimously by the Foreign Relations Committee and was then overwhelmingly approved in the Senate itself by a vote of 65 to 11. It has been demonstrated that the people at the two ends of Pennsylvania Avenue can cooperate effectively when both are convinced what they are doing is for the true and lasting benefit of their country.

Not only did these treaties set a precedent in the manner in which the various branches of the U.S. Government handled them, but the method of negotiating the treaty with the Allied Powers was unique in the modern history of diplomacy. Most

multilateral treaties are concluded as the result of a conference of all the nations concerned wherein the representatives of the various governments, gathered around a table, put forth their ideas and eventually, through the process of give and take, reach agreement on a text of a treaty. At the end of the war it was assumed that the normal process would be followed in the case of a treaty with Japan. In fact, in the summer of 1947, the United States made an attempt to call a preliminary conference of the powers most directly concerned with a view of setting up procedures for the negotiation of a Japanese peace treaty. Countries invited were the then 11 members of the Far Eastern Commission, and in the invitation it was specified that decisions of the conference would be by majority vote.

All members of the Far Eastern Commission except China and the Soviet Union accepted the invitation and agreed to the suggested procedure. The Soviet Union maintained that a treaty of peace with Japan should in the first instance be discussed by the Big Four prior to discussion with the other nations concerned. China was agreeable to having the treaty discussed from the beginning by all members of the Far Eastern Commission but maintained that the voting procedure should be the same as that prevailing in the Far Eastern Commission, which in effect meant that each of the Big Four, the United States, the United Kingdom, the Soviet Union, and China, would have a veto. Neither of these positions was acceptable to the United States, and the plans for the proposed conference were therefore abandoned. It was not until 1950 that serious steps were again taken looking toward the early conclusion of a treaty. By this time there had been radical changes in the situation in the Far East. The forces of Nationalist China had been driven from the mainland and a Communist regime set up which had been recognized by many of the countries most intimately concerned in concluding a peace with Japan. The Far Eastern Commission had been increased to 13 nations, and although Nationalist China still retained its seat on the Commission, of the remaining 12 nations, 6 recognized the Communist regime as the lawful government of China.

Restoration of Freedom to Japan

It had become evident to the United States that time was running out and that it was important to bring about a treaty with Japan and restore that nation to a position of equality among the nations of the world at the earliest possible time. But how could this be done? The Soviet Union still maintained its position that the treaty should only be discussed by the Big Four, and there was an obvious difference of opinion between the Soviet Union and the United States as to which government of China should be included among the Big Four. The United States continued to believe that

all of the nations on the Far Eastern Commission, which were the nations who had been most active in the war against Japan, had a right to be consulted, but here again it was impossible to call a conference, for these nations were equally divided as to which government of China was the legitimate one.

In these circumstances, tradition was thrown aside. Ambassador Dulles had traveled to Japan on a journey of investigation during the summer of 1950, at which time he had consulted at length with General MacArthur, with members of the diplomatic corps, members of the American and European communities in Japan, and with Japanese Government and private leaders. He was convinced that if Japan was to be kept as a voluntary member of the family of free nations it was essential that early progress be made toward obtaining a peace treaty. He determined that the normal treaty-negotiating procedures should not deter him in doing what he could to bring about a treaty. If it was not possible to call a conference for all the nations concerned to sit around the table and discuss the treaty, why not talk to all these countries individually? And that is what was done.

The first consultations took place in the autumn of 1951 at Lake Success where several of the Foreign Ministers of the countries represented on the Far Eastern Commission were present to take part in the session of the General Assembly of the United Nations. During these early talks, the representatives of the various countries were handed a short, simple memorandum giving a general statement of principles which, in the opinion of the U. S. Government, would govern the type of treaty proposed to end the state of war with Japan. This brief statement consisted of seven points, and it was hoped it would instigate discussion among the various countries so that the United States could reach a decision as to the possibility of obtaining a treaty at all and the chances of obtaining one substantially of the character thought by the United States to be most desirable. These discussions were held with representatives of all members of the Far Eastern Commission and in addition with representatives of Indonesia, Ceylon, and the Republic of Korea, nations which had but recently achieved their independence. It is important to note that representatives of the Soviet Union participated in these discussions although the Soviet Government later disavowed these talks.

As a result of reactions received to the seven-point statement, the United States determined there was general agreement on the desirability of an early peace treaty with Japan and that in general, with certain exceptions, general agreement as to the type of treaty which should be concluded. Ambassador Dulles had been a member of the American Delegation at Versailles which drew up the treaty to end the first World War,

and he was deeply convinced of the unworkability of a punitive treaty which, while it might well be justified because of the crimes of the aggressor, nevertheless contained not an inspiration to co-operation and peaceful action in the future but rather the seeds of future war. This viewpoint was shared by the President and the Department of State and the majority of the Congressional leaders consulted, so that from the beginning there was unanimity in the American Government for the course of action followed. The United States was determined that the treaty should in fact restore freedom to Japan and that only a treaty of reconciliation and trust would in the final analysis be effective.

Consultations on Widespread Scale

Having ascertained the general reaction of a majority of the countries on the Far Eastern Commission, it was believed important to consult again with Japanese leaders. From the very beginning it had been the belief of the U. S. negotiators that this treaty should not be an imposed treaty in the traditional sense and that the Japanese should be given appropriate opportunity to express their opinions. It was of course acknowledged that those powers which had suffered as a result of Japanese aggression should have the primary voice in determining the treaty's terms. In the preliminary talks with the other members of the Far Eastern Commission it quickly became evident that certain of the powers, those which had been in the path of Japanese expansion such as the Philippines, Australia, and New Zealand, would be most reluctant to conclude a treaty with Japan which did not in itself contain guarantees against renewed Japanese aggression and rearmament unless some other form of security could be assured them.

It was the hope of the United States, therefore, that there might be developed some form of collective security in the Pacific area which would enable Japan to take its rightful place and contribute its share to the collective defense of the Pacific area without developing military forces which by themselves could be a threat to anyone. Ambassador Dulles and members of his staff departed in January 1951 for Japan and after intensive consultation with Japanese and foreign leaders continued their journey and visited the Philippines, Australia, and New Zealand. In each of these countries they had the opportunity to consult with the local leaders and to receive at first-hand the views and feelings of those peoples toward concluding a treaty with Japan. During this trip the foundation was also laid for the conclusion of the mutual security and defense treaties which form a part of the Japanese peace settlement.

Initial Stages of Treaty Draft

Upon their return to Washington from this tour around the Pacific, Ambassador Dulles and

his staff believed the time had come when the general principles contained in the earlier seven-point memorandum might be expanded and put into treaty language. This was done, and, in March of 1951, a first draft was circulated to those countries with whom the United States had been discussing the treaty. This original draft was still a brief document and consisted of only 8 mimeographed pages of foolscap size. It might be interesting to interpolate at this point that the final treaty draft as signed at San Francisco consisted of 21 pages of similar size. The change from a document of 8 pages to a document of 21 pages is evidence of the fruitfulness of the discussions which took place among all the powers concerned and effectively disposes of the charge made by the Soviets and its satellites that the treaty signed at San Francisco was merely an American document forced upon a reluctant conference.

While the United States had been developing its ideas as to the proper form of a treaty, the Government of the United Kingdom had also been busy and, as a result of discussions with members of the Commonwealth, had produced a draft of its own. This draft was circulated by the United Kingdom to the Commonwealth and one or two other countries and was discussed at length with the United States. As a result of these discussions, which took place over a period of approximately 2 months, it was decided that there should be a joint U. S.-U. K. draft which would be presented for the comments of the other nations. The United States and the United Kingdom finally completed their draft and circulated it to the Allied Powers during the first half of July 1951, and it was kept open for further changes until the middle of August.

Prior to completing the joint U. S.-U. K. draft, Ambassador Dulles and members of his staff individually or collectively had visited London, Paris, Karachi, New Delhi, Canberra, Wellington, Manila, and Tokyo. It will therefore be evident that in addition to communications through normal diplomatic channels with all the nations at war with Japan, the American negotiators visited the capitals of eight of the countries represented on the Far Eastern Commission in order to obtain their views.

By the middle of August, the U. K. and the U. S. Governments believed that ample opportunity had been given to the countries concerned to express their views, and, while it was realized the treaty was not a perfect document, it was decided that if we were to await perfection we would never obtain a treaty. Therefore, invitations were issued to the 50 countries which had been at war with Japan to meet in San Francisco and sign the treaty, a treaty which had been developed not around one large conference table but around many conference tables in many countries and over a period of almost 11 months. It was made

clear in the invitations to the conference at San Francisco that this was a conference to sign the treaty of peace and not one where the whole matter would be reopened with results which would most certainly have led to indefinite delay. During this 11 months' period of consultation and drafting the U. S. Government had kept the National Government of China informed at all stages of the type of treaty that was being developed, and in view of the vast amount of denunciation of the treaty text in specific terms made by the leaders of the Chinese Communist regime, it is evident they too had been kept informed, presumably by their Soviet friends, of the terms of the treaty as they were drafted.

It was a matter of great regret to the Government of the United States that the 400 million people of China were not represented at San Francisco. As it was not possible for the Allies to agree on who should represent China at the time of the signing of the peace treaty, it was determined that neither the Chinese Nationalist Government nor the Communist regime would be invited. However, insofar as possible, as a result of consultations with the National Government of China, the interests of China were safeguarded in the terms of the treaty itself. The sponsors of the treaty draft, while disagreeing as to which government represented China, agreed that the people of Japan should not be held in subjugation to an alien occupation any longer because of dispute among the Allied Powers over China.

Points of Interest to Law Students

With respect to the terms of the treaty itself, there is not the time to go into detail nor do I believe that to be necessary in view of the great amount of public discussion which has taken place concerning the treaty. There are, however, certain points which are of special interest to students of international law, and these I shall briefly mention. It will be noted that article 2 of the treaty requires Japan among other things, to renounce all claims to Formosa, the Kurile Islands, and Sakhalin but does not state in whose favor such claims are renounced. Here again a practical solution was needed to meet the problem caused by differences among the Allied Powers over the question of China. The Potsdam surrender terms are the only peace terms to which Japan and the Allied Powers as a whole are bound. There have been other understandings and agreements between certain of the Allied Governments, but these did not bind Japan nor were all of the other allies bound by these agreements. Therefore, in essence, the peace treaty embodies that portion of the Potsdam surrender terms which provided that Japan's sovereignty should be limited to the four main islands and such minor islands as might be determined. Certain of the Allied Powers suggested that the treaty of peace should not merely

delimit Japanese sovereignty but should specify precisely the ultimate disposition of each of the former Japanese territories. While from the point of view of international law this would have been more satisfactory, it would have raised questions to which at present there are no agreed answers. As Ambassador Dulles pointed out in his address at the peace conference in San Francisco,⁵ it was necessary—

either to give Japan peace on the Potsdam Surrender Terms or deny peace to Japan while the Allies quarreled about what should be done with what Japan is prepared, and required, to give up. Clearly, the wise course was to proceed now, so far as Japan is concerned, leaving the future to resolve doubts by invoking international solvents other than this treaty.

Another portion of the treaty believed to be of special interest to those concerned with international law is the manner in which the treaty comes into force. Article 23 gives the nations most actively concerned in the Pacific a special position and provides that the treaty shall come into force when the instruments of ratification of Japan and the majority of the members of the Far Eastern Commission which signed the treaty, together with Indonesia and Ceylon, have been deposited with the United States. It is specifically provided that this majority must include the United States as the principal occupying power. The position of primacy given the United States was readily agreed to by the other countries in view of the great responsibilities of this country in connection with the occupation.

The brief mention previously made of the various mutual defense and security treaties with the Philippines, Australia, and New Zealand may have given the impression their only purpose was to make it possible for those nations to associate themselves with the United States in advocating a treaty with Japan containing no arduous restrictive clauses, particularly ones dealing with rearmament. While this certainly is one of the purposes of those treaties, it is not, I believe, the chief purpose, for these treaties do not look only to the past, they look to the future. Let me quote Ambassador Dulles before the Senate Foreign Relations Committee:⁶

It is highly appropriate that not only our friends, but our potential enemies, should learn that our concern with Europe, evidenced by the North Atlantic Treaty, and our concern with Japan, in no sense imply any lack of concern for our Pacific allies of World War II, or lack of desire to preserve and deepen our solidarity with them for security. The security treaties with these three countries are a logical part of the effort not merely to liquidate the old war but to strengthen the fabric of peace in the Pacific as against the hazard of new war.

In bringing to a close this brief consideration

of the Japanese peace treaty and the allied treaties, we cannot help but ask ourselves whether these treaties will last and be effective. In my opinion that will depend not so much on the conditions in the treaties but on whether or not they express the facts of the mutual relationships between the signatories. Allow me to call to mind the words of Professor Morgenthau of the University of Chicago in his stimulating book, *The Idea of the National Interest*, when he points out:

It is a general law of international politics, applicable to all nations at all times, that only those agreements have a chance to be effective and to last which express in legal terms the identical or complimentary interests of the contracting parties, and that they last only as long as their terms coincide with those interests.

I believe the treaties signed last September do coincide with the true interests of the signatories. As far as the treaties are concerned, the work of the lawyers is finished. It is now the task of the policy-makers to insure that our future policies are such that our fundamental interests will continue to coincide and that these treaties will thus continue to be effective.

Voluntary Aid to Korea Reaches \$10 Million

Press Conference Statement by Secretary Acheson

[Released to the press April 16]

I thought you might be interested to know that, according to the Advisory Committee on Voluntary Foreign Aid, some 10 million dollars' worth of food, clothing, medical supplies, and other commodities has now been provided for assistance in Korea by American nongovernmental agencies.

American organizations including church, welfare, relief, and other groups have contributed commodities and funds for Korean relief to supplement the efforts of the United Nations to ameliorate the hardships suffered by the people of the Republic of Korea as a result of 22 months of destructive warfare.

Many American religious groups have contributed generously for this purpose and, together with the voluntary contributions of groups in other countries, have provided the means for attacking the serious problems which the Korea people face.

This outpouring of aid is one more example of the ability and determination of free peoples to assist in overcoming the hardships which have overtaken the people of the Republic of Korea in their gallant stand against Communist aggression.

⁵ BULLETIN of Sept. 17, 1951, p. 454.

⁶ *Ibid.*, Feb. 4, 1952, p. 190.

Law and the Growth of the International Community

Address by Secretary Acheson¹

Law in our national societies performs a number of functions. One is restraint upon antisocial conduct—a negative function, criminal law, for example. This requires courts and sheriffs, police and prosecutors. Except for the trial of war criminals, our international legal system is here in a rudimentary stage.

Another function of law is accommodation, providing rules for the orderly conduct of day-to-day life: How property shall be transferred from one owner to another; what conduct is consistent with the exercise of property rights, or personal rights.

These are the traditional, nondynamic aspects of law. They are important; they have their place.

But the function of law which I propose that we discuss this evening is not directed toward imposing negative restraints, or toward formulating rules of accommodation which avoid or resolve disagreements. It is rather the essentially legislative function which mobilizes the community into action to deal with situations which by common agreement are unsatisfactory and which can only be remedied by positive and sustained measures.

While the restraining and accommodating functions of law are addressed to the task of defining and protecting existing rights, the legislative function is addressed to bringing about progress and change. Adjustments are made in society so that we can go ahead, so that things happen.

It is not easy to isolate and analyze this legislative function as it operates on the international scene. There is no exact international equivalent of the national legislative bodies with which we are familiar. And international adjudication provides little scope for the legislative role played by our national courts in, for example, the definition of unreasonable restraints on trade or of unfair labor practices.

¹ Made before the American Society of International Law at Washington on Apr. 24 and released to the press on the same date.

Nevertheless, as Judge Hudson's volumes on *International Legislation* so abundantly prove, members of the international community do utilize the legislative function which I have described. Nations do consult together about international problems and adopt rules of action which subsequently guide and govern their conduct. A glance at the index of documents collected in Judge Hudson's last volume shows such diverse matters as fisheries, patents, sugar, tin, banking, highway traffic, insurance, and health.

Philosophic Consistency in British Law

The importance of the traditional judicial and administrative processes is clear beyond doubt. But the dominant task which has to be performed in the international, as in the national community, is essentially legislative: that task is to pull the community together through dynamic, propulsive, and creative measures which will change unsatisfactory situations and create new ones responsive to human needs.

What I have said suggests that this legislative task, on the national or the international level, is not simply a series of haphazard and disassociated actions. It is a cohesive whole, guided by certain operative principles leading toward the goals which the community is seeking.

If you were to take from the shelves all the volumes which contain the statutes enacted by the British Parliament in the nineteenth and early twentieth centuries, you might well shrink from the effort of distilling any guiding principles from them. You would surely find the books full of unrelated minutiae, but I think you would also find yourselves drawn by a defined current.

The other evening when I was thinking about this problem, I remembered a book which I had not read for over a quarter of a century, and took it from the shelf to see if my memory was right and whether some of its thought and analysis was as apposite as I remembered. The book was written before World War I. It attempted to iso-

late the basic principles lending cohesion and strength to the British Nation. Many of you are familiar with this book, *The Underlying Principles of Modern Legislation*, by an eminent and scholarly British constitutional lawyer, the late W. Jethro Brown.

This study of nineteenth and early twentieth century British legislation may seem a far cry from the complex issues of international life with which we are grappling today. But as I turned over the pages, it seemed to me that this was not so.

The task the author had set himself, in a world so different from ours, was to discover some philosophic consistency underlying the vast body of legislation with which the British people were attempting to meet the economic and political pressures of the time. He was writing in an era of golden placidity—on the surface, at least. But he was gravely concerned whether his countrymen would be able to solve their problems within the orderly pattern of legal processes. If British legislative ingenuity were unequal to the task, he foresaw the dangers of violent revolution which had overwhelmed less flexible societies.

In the record of legislation before him, the British lawyer saw the unfolding of Acton's principle of liberty. Liberty, Jethro Brown pointed out, has two aspects—the citizen as an end in himself, and the citizen as a member of the community contributing to the general well-being. From these two aspects of liberty there are derived, in his own words, "two fundamental principles—the Worth of Man and the Unity of Society."

These two principles underlay the broad range of legislation which he scrutinized. The principles seemed to work together, not in a conscious or deliberate way, to form a balanced and integrated national attitude. Making themselves felt in the concrete responses of the British Parliament, these two principles were, in a deeply practical sense, the major premises of the British community.

Developing Principles of International Legislation

We Americans see at once that these principles are also the touchstones of our American community.

The worth of man, the fact that all men are created equal, has been hammered into our democratic tradition on the anvils of revolution and of civil war. We are—each of us—firmly and rightfully aware of our own individual dignity: our right to our own thoughts, our own faith, our own politics.

We Americans are individualists; but we are at the same time keenly sensible of the unity of society, of the fact that we are joint venturers in the common American enterprise. We don't like to be told what to do; but we revere the law, and we gladly serve our country and our community. We grumble at taxes, but we pay them, for we

know, as Justice Holmes put it, that they are the price of civilization.

But these two principles—the worth of man and the unity of society—are not merely English principles or American principles. They are aspects of the ideal of liberty. And the ideal of liberty is going out across the world, as Jefferson said it would, "to some parts sooner, to some later, and finally to all."

And so, when nations, seized of the ideal of liberty, group themselves together in a free international community, we should expect that larger community—if it is to be a valid and going concern—to build upon these two fundamental principles.

I suggest to you this evening, that if we examine the recent growth of the international community, viewing that growth as a manifestation of international legislation at work, we will find Jethro Brown's thesis borne out on the international scene.

We have no complete reference list of contemporaneous international legislation. But I would like to illustrate how international legislation has worked and is working; and at the same time, suggest what principles seem to me to underlie this body of legislation.

In doing this it is unimportant to argue the traditional philosophic question whether a rule has the force of law if it lacks organized sanctions of power. The important question is whether the actors on the international scene, faced by complex problems, agree among themselves upon practical solutions, and thereafter govern their conduct accordingly.

TASK OF AMERICAN COMMUNITY VS. INTERNATIONAL COMMUNITY

After all, international problems are human problems which have to be solved by human beings. This basic fact is not changed by the additional consideration that the individuals happen to be grouped in national societies represented by national governments.

Looked at from this point of view, there is no essential difference between the task of the American community in applying to a complex of problems such a solution as the Tennessee Valley Authority, and the task of the international community in launching the rehabilitation of postwar Europe through the instrumentality of the Marshall Plan.

As a national community, we had to deal, in the Tennessee Valley, with great potential assets and great present liabilities. The valley, comprising seven states, contained areas which were among our poorest, industrially, educationally, socially. The area contained vast possibilities for power development. But the problem was not merely one of physical development; it was the advancement of the life of four and a half million

people, so that the whole area would become a great national asset.

The national community had to take hold of this. It had to introduce something new into the situation, something that would have a propulsive force, to revitalize this whole area.

And this was done. Around the great power development, there was created a new sense of community interest in that river valley that affected everything—schools, electric lights, farms, jobs, railroads, hospitals, factories, cities, churches—everything.

And all of this was done by taking common action in a legislative and in an administrative way, to release and sustain the energy of the people of the Tennessee Valley for the solution of their own future.

THE MARSHALL PLAN

Now, don't we find something of the same sort happening on the international scene in the working out of the Marshall Plan?

Europe, in 1947, had been through the travail of war, the destruction of war, with its social, political, and economic institutions torn apart.

It was not just an economic problem; the problems affected the whole life of the people, their spirit, their vitality, their determination to rebuild and face the present and the future.

What General Marshall said to the people of Europe was: we in this country are willing to back you if, on your side, you are willing to work together to develop a program which each one of you—and all of you together—will implement in every way you can, so that new things can be accomplished in Europe.

And the people of Europe said: yes, we will do that.

They came together and worked out a plan which took international action, legislative action within countries, administrative action, action by private citizens, by workers, by employers, and we added to this great help from the United States.

They set up the Organization for European Economic Cooperation, to which 18 countries now belong, and the European Payments Union, and laid the groundwork for the Schuman Plan.

There had to be many adjustments and compromises; conflicts of interest had to be reconciled. But the result it produced was something of a miracle in Europe.

The whole life of Europe became different. It became alive; it became hopeful. Individual people had a new sense of the possibilities of life. National societies became vitalized, and a fabric of strong community action among nations had been woven.

THE NORTH ATLANTIC COMMUNITY

Let us turn to another example, in the field of defense.

By 1948, it had become clear that the Atlantic community had to be able to protect itself.

Something had to be done to assure that everything that was being created and rebuilt would be protected and preserved.

This was a lesson that we in this country learned from our earliest days, from our frontier farming communities and our birth as a nation. The lesson we learned was that defense was an integral part of the function of the community, that as people moved to meet this necessity they wove a stronger fabric of community life.

This is what we have found on the international stage. As economic recovery progressed, it became possible to do something about the need for protecting ourselves, in a cooperative way. First of all, various nations gave one another assurances of assistance in the event of attack, through such instruments as the Brussels Treaty in 1948, and the North Atlantic Treaty in 1949.

But assurances were not enough, when real strength was lacking. We saw that each of us would have to develop our military establishments.

Then we saw that this wasn't enough. We would have to increase our total strength by making our military forces complementary to each other rather than complete in themselves. That was General Bradley's idea of balanced collective forces, instead of balanced national forces.

And this, in turn, led to the integration of forces under a common command, with all that this involved: a unified command structure, common facilities and training programs, and a meshing of production, budgets, and even of political institutions.

As always happens in this kind of development, there was a movement from immediate necessity to broader patterns of cooperation, until finally we reached the broadest possible adjustment of international interest in the direction of a wider and growing unity.

This is the meaning of the European Defense Community, within the broader framework of the North Atlantic Community, which in turn is comprehended within the still broader concept of the United Nations.

The European army is a dramatic illustration of creative action to find common solutions to common problems, action that leads to a whole blossoming of growth and development. For the European Defense Community will have not only a common army, but joint political supervision, a common military budget, a common procurement system. It is a great stride toward the long-cherished goal of a united Europe, and even more, toward the unity of international society.

What we have been witnessing, in the broad sweep of this European experience since the end of the war, has been a series of community actions by the people of the North Atlantic area, actions to establish peace, security and economic well-being by grappling with a succession of connected problems.

We are witnessing a series of positive actions, unprecedented in their scope, to achieve that unity of international society which alone can assure the realization of individual human needs and aspirations in the world as it is today.

THE POINT FOUR PROGRAM

Let us consider another example, one that has to do with other kinds of actions, and other parts of the world.

From the time of the first colonies on the eastern seaboard of this country, and through the march across the continent, this Nation has recognized the interest of the entire community in agricultural development.

It was under President Lincoln, almost a hundred years ago, that there was established in the U.S. Government a Department of Agriculture. By this step, the Government showed its awareness of the relation between the problems of the farmer in Iowa and the steel puddler in Pittsburgh.

Out of this came the development of the whole great activity of the Department of Agriculture today, working through its county agents, through land-grant colleges, carrying forward scientific experimentation, improving the productivity of the land, widening skills and techniques, steadily raising the standard of living not only of the workers on the farm but also of the entire American community.

This is what we have come to call, on the international stage, the Point Four Program.

In the world today there is a comparable relationship between the rice farmer in Burma, or the sheep herder in Uruguay, and the worker at the loom in Manchester, England, or Manchester, N. H.

Here again was a problem rising out of the need of the individual human being and affecting an international society which despite its diversities had a genuine unity.

And here also, in President Truman's Point Four Program, was the introduction of an element that stimulated a whole range of actions in the underdeveloped parts of the world.

The idea of the unity of society is deeply imbedded in our consciousness. It is not a new idea. From time immemorial, man has built up, in concentric circles, the family, the tribe, the city-state, and the nation. Nor is the idea of a unified international community a new one. Many nations and many faiths have dreamed of empire.

What is relatively new is the corollary principle of the worth of the individual. For this principle means that a unified society has validity only as it serves the human needs of its members.

THE UNITED NATIONS

On the international scene, this principle also comes into play by way of analogy to the position of the individual state within the international

community. In the community of free nations, the basis is one of consent, persuasion, free cooperation. At times this may seem a difficult basis on which to operate, but it affords restraints against the arbitrary exercise of power or will by any member of the community.

The convergence of these two principles—the unity of society and the worth of man—finds its loftiest symbolic and practical expression in the greatest act of international legislation, the creation of the United Nations. For, as stated in its Charter, that concretely unified society of nations stakes its faith upon "fundamental human rights . . . the dignity and worth of the human person" and ". . . the equal rights of men and women and of nations large and small".

It is within the inclusive framework of the United Nations that the international legislation I have described this evening has gone forward.

A free international community based on fundamental tenets is all very well, one may say, for those who agree on those tenets, but what about those who do not?

In our concept of society, power is lodged in the society as a whole for the good of all. In the totalitarian state, the state is something separate and apart from the people. The state is one party in the conflict and the people constitute another party. No matter how much dictators prattle about "democracy", the dictatorial state does not symbolize the rule of the people; it rules the people. Transposed to the international scene, this theory inspires a policy designed to bring about a result in which a single state dominates other states. It does not contemplate participation on an equal basis in a unified society.

Perhaps the cleavage is graphically illustrated by one of the points still unsettled in the truce negotiations at Panmunjom. The stand of the United Nations in regard to the return of prisoners of war rests upon our belief in the worth of the individual. As General Ridgway properly said this week, the difference in concept of the value of human life as held by the Communists and by the free world is a fundamental issue at stake in the current negotiations over the exchange of prisoners.

The international community does not require uniformity. On the contrary, one can welcome diversity if only there is a common acceptance of the basic principles of the unity of society and of the worth of the individual.

Our idea of the international community is that it is an open-ended one. It is not exclusive. It is not directed against anyone. It is open to any who accept the fundamental postulates.

Even with those who do not accept the postulates and therefore do not become full and intimate members of the community, the adjustment of differences is always possible, provided one thing—and that is that one party does not have as a fundamental objective the destruction of the other.

In reflecting upon ways of developing a free and peaceful international community, men often tend to be governed by a passion for organization as a thing in itself. It seems sometimes to be assumed that the only thing which is lacking in a search for Utopia is the perfection of organization. Sometimes this has led to the theory that all we need is a code of international rules carefully drawn up and written down and applied by an international court to effect the solution of every international conflict.

We know that this is not true. Organization, whether national or international, is merely an instrument and must be used by skillful craftsmen.

The existence of an instrument does not eliminate the need for craftsmanship nor does the existence of international organization eliminate the need for statesmanship. The day-to-day problems, whether they arise among friends or between adversaries, require for their solution the continuous application of human wisdom. This is as true among nations as it is within nations.

So long as those who are charged with seeking solutions of international problems are animated by the companion concepts of the unity of society and the worth of the individual, we need not despair of the wholesome growth of the international community.

The National Interest and Current World Problems

by Charles B. Marshall

My assignment calls for me to relate the national interest to the problems of the United States in the present world situation.

Let me comment first on that phrase, "the national interest."

Only a few years ago the economic interpretation of virtually everything was in vogue. Writers of considerable repute were fobbing off the significance of the national interest as a factor in foreign policy, interpreting it as merely a facade to conceal special interests and to deceive the public.

The return of the phrase to respectable parlance, indicating the recognition of a valid national interest paramount over particular interests, is a gain for straight thinking.

Often a decision in foreign policy is inseparable from the question of the domestic consequences of the decision. It is necessary in such an instance to recognize that our national destiny in a world of many nations is more important than the domestic group interests affected by the decision. In settling questions of conflict between the necessities of national security and group interests, the idea of national interest is valid and essential.

The phrase, moreover, indicates a step away from the utopianism beclouding too much the discussion of international affairs in the sequel to both World War I and World War II.

Nations do have interests. In some instances their interests coincide with the interests of other nations. Sometimes interests of different nations harmonize without coinciding. Sometimes they differ, but not incomparably. Sometimes they are mutually exclusive. Out of these variations

comes the real nature of international life. It is useless to try to ignore this by talk about global harmony and the universal state. Such talk, while edifying to those who like it, only hinders—it does not help—the handling of world problems.

So it is good to hear people talk about international problems again in terms of national interests rather than in the abstractions of world government and world law.

Indeed, it would be a blessed thing if all differences among nations could be translated into differences of interest alone and not differences of basic purpose and principle. It is unselfish to compromise on interests. It is unseemly to compromise on one's principles.

Here I myself stray off into utopianism of another sort. The world is nowhere near that stage of adjustment where all national differences can be dealt with as solely differences of interest, and the coming of that day is too remote for prediction.

I have said enough in praise of the idea of national interest. Now let me say some things in criticism.

The usefulness and significance of the phrase are limited. It begs more questions than it answers.

In appraising the significance of the national interest, I must distinguish between instances in which the decision turns on weighing our world position as a Nation against the claims of particular domestic interests and instances in which the issue lies simply between different lines of action in the foreign field.

I know of no case of the latter character in which the settlement of an issue of our national policy in the line of responsibility would have been

facilitated by injecting the question: Shall we or shall we not try to serve the national interest?

What Is the National Interest?

The question in the arena of responsibility in handling an issue involving foreign policy alone is not whether, but how, to serve the national interest. That involves the question of what is the national interest in a particular situation.

The question of serving the national interest is always a subtle and complex one in real situations.

I am sure all of the following things are clearly in our national interest: To avoid war; to preserve our institutions; to have strong allies; to avoid inflation; to have a prosperous civilian economy; to find common grounds on which to stand with the various nations which have newly come to responsibility; to preserve our access to strategic waterways and vital raw materials; and to protect the property and safety of our nationals abroad.

I could extend this list by dozens of items.

Now any matter of foreign policy pertaining only to the realization of one of those items would not present an issue at all. No one would have to work his brains overtime on it. No series of exhaustive meetings would have to be held. No protracted debate about the nuances and contradictions would be necessary. In such an instance the policy decision would crystallize spontaneously.

In any practical question presenting a real issue the national interest has several aspects. Indeed, there are many national interests, not just one.

The difficulties arise in the conflict of one interest with another; for example, in the clash of the interest in peace with the interest in preserving national institutions, in the clash of the interest in having a strong defense with the interest in having a strong civilian economy, or in the clash of the interest in preserving access to a waterway with the interest in eliciting the adherence of another country to one's cause.

I trust I have made my point of the inconclusiveness of the national interest as a guide in any particular policy problem.

Beyond that, I believe the concept of national interest is inadequate and misleading even as a broad concept on which to found a policy.

Responsibility as a Guiding Principle

It seems to me that a more appropriate guiding principle is the idea of responsibility. This is a very different sort of idea.

I want to take the rest of my time in talking about the contrast between national interest and responsibility and examining the idea of responsibility as it enlightens our present problems.

First I want to discuss our special role in the world today.

The great political issues of our time revolve around rival approaches to the handling of the problems growing out of such circumstances peculiar to modern times as the massing of peoples—their expanded numbers and their increased concentration; the sharpening of the clash between cultures due largely to awakened consciousness of the disparities in well-being between peoples in relation to the advance or lag of production techniques, and the destructiveness of modern war due both to the concentration of industry and population and to the greater inherent efficacy of modern weapons—their huge lethal power and the capability for distance and stealth in attack.

One approach would exploit these circumstances for the purpose of widening the scope and strengthening the foundations of a monopoly of political power.

The other approach seeks to compose clashes of interest and to work out patterns of accommodation.

The legitimate question of politics is not how to eliminate conflicts of interest—a utopian concept—but how to organize society so that conflicts can be adjusted rather than fought out.

This difference in approach is brought to bear both within and among nations. The lines of difference are intertwined and subtle, for the lines along which great issues form are never as sharp as a razor.

Insofar as the issue has crystallized among nations, however, the Soviet Union stands clearly as the champion of the first approach.

Internal political circumstances cast the Soviet Union in that role. It is ruled by tyrants, who reached the seat of power through conspiracy and, having achieved power, have not dared risk their hold on it by resort to a valid procedure of consent. They have remained conspirators after becoming governors, combining the usages of conspiracy with the prerogatives of the state. Both at home and in the world at large, the conspiracy that walks like a state requires tension and conflict to maintain its grip. In the service of this purpose it employs a doctrine emphasizing the patterns of conflict—class war, subversion, and the like.

This rule is established over a great range, commanding great resources in people and materials.

Huge military forces at its disposal are deployed in positions bearing on northern and central Europe, the eastern Mediterranean, the Middle East, Southeast Asia, the Republic of Korea, and Japan.

The Soviet Union has auxiliaries in the form of embryonic governments under the guise of domestic political groups in territories beyond its imperium.

The Soviet power is such that no combination of nations adequate to cope with it is conceivable without the support and participation of the United States.

The United States thus finds itself in the position of leadership among peoples which prefer

to work out a method of handling the problems of our times alternative to the pattern offered by the Soviet and which are impeded in this effort by the fact of Soviet opposition.

Our Constitutional Values

A failure to exercise this leadership would almost certainly result in a world power situation endangering the survival of our constitutional values. These are the values expressed in the Preamble of our Constitution. I do not doubt that you know them all, but let me enumerate them anyway.

The first is the perfection of our Union, the concept of a nation with steadily growing public values.

Second comes the idea of justice—of power subjected to standards superior to the mere attainment of the ends of power.

Third in the enumeration is domestic tranquility, conveying the idea of a nation at peace with itself, a nation where issues can be decided by reason, by discussion, and by compromise.

Then we come to the common defense—the protection of the nation from penetration from the outside.

The idea of the general welfare is another of the values set forth. It embodies the idea of a government which serves and is not master, which is accountable to all of its people as contrasted to a government which serves the exclusive interest of a dominant group.

Finally, we have the blessings of liberty—the situation in which each person can make choices for himself, regarding his life, the life of his children, his religion, and his thoughts.

The fundamental and enduring purpose of our foreign policy is to maintain in the world circumstances favorable to the continued vitality of these values in the United States.

I want to stress the novelty in the American consciousness of the responsibilities which the present world situation imposes.

Our power, whence come our responsibilities, has three main foundations: Position, political strength, and economic resourcefulness.

The circumstances surrounding the development of each of these were such as to conceal their eventual implications.

The diffusion of power among several nations of great magnitude provided the relatively stable and protective situation which enabled the Americans to move onward from an Atlantic beachhead to become a continental Nation, singular among the great powers in that it lies in both the Northern and Western Hemispheres, faces on both the Atlantic and the Pacific, and stretches from the tropics to the Arctic.

Government Based on Accountability and Freedom

The same circumstances enabled the Americans to preserve and mature a Government based upon

stipulated principles of accountability and freedom. Their purpose in doing this was purely domestic. The strength of the Government thus established is one of the great political facts of our time, important for all the globe.

The Americans developed a fecund agriculture and productive industry, without equal, through the expansion of an internal market. That circumstance concealed from them the eventual world importance that American economic strength would have.

Some 60 years ago Lord Bryce described the United States as living "in a world of peace" and as "safe from attack, safe even from menace." Such was the national situation in the historic past, when the United States was a remote and intermittent factor in the ratios of world power and when Americans were concerned almost exclusively with the problems of their own national development. Lord Bryce added: "For the present at least—it may not always be so—America sails upon a summer sea."

Within a lifetime the summer sea vanished. The world frontiers closed. Two world wars were fought. Germany and Japan were eclipsed in defeat. Other great powers suffered relative declines. Patterns of empire were sundered. Many erstwhile dependencies attained sovereignty. Revolutionary communism established a power base. Two nations emerged into positions of primary magnitude—the United States as one and the Soviet adversary, the other.

So great an accession of responsibility in so brief a span has placed great moral tests on this Nation.

One difficulty rises from the sense, as expressed recently by former Chancellor Robert M. Hutchins of the University of Chicago, that "this country has been thrust against its will into a position of world leadership."

True, no referendum on the issue whether or not to be a nation of such wide responsibilities was ever held. The choice was made unconsciously in many decisions of our past. We were thrust ahead not against but by our wills. The choice is nonetheless binding for having been made in unawareness of the consequences.

Here we have a paradox—an accession to great power accompanied by a sense of deprivation of freedom.

We feel that paradox in another way.

In our historic past we viewed our role as that of standing normally aloof from the power balance whose benefits we enjoyed. At most we would entertain the idea of throwing in our weight only momentarily to reestablish the balance whenever it might break down in general war.

We regarded our role as like that of a pedestrian who might choose to vary his solitary walks by intermittently riding with others, without foreclosing himself from choosing to walk alone again.

Now that is changed. Our power makes our interposition essential to the preserving of the causes with which our interests lie. We must go along with others if we are to keep others with whom to go along.

Our power is the basis of our essentiality, and our essentiality compels us to replace our historic sense of freedom by a new consciousness of responsibility.

While losing a sense of freedom, we lose also a sense of effectiveness.

In the era when we stood normally aloof from the balance of power, our decision to become a world factor for a season had drastic and immediate results in redressing the balance.

Now, by having become permanently involved in preserving the balance, we are no longer vouchsafed the opportunity to alter the situation dramatically and radically by sudden action.

This involvement leaves for us the exacting course of seeking a solution in the long pull through persistent effort to make the best of the situation stage by stage in the knowledge that such is the only way of making the situation better.

Let us look for a moment at the foreign policy which this situation imposes.

It gives us no promise of arrival at some calculable moment at which we can say that all our troubles are behind us, that everything henceforth will be tidy and easy, and that we have crossed the one last river.

I said this to a group of Texans with whom I was discussing our national policy recently. One of them asked me whether I actually thought coexistence with the Soviet Union was possible.

That is a curious question. It makes a matter of speculation out of something known to be true. Coexistence with the Soviet Union is not simply possible; it is a fact. Coexistence with a great power that tries to lead a double life as state and as conspirator is vexatious for sure, but it is preferable to the tragedy of general war and its sequel, whichever side might win.

Our policy seeks to avoid the tragedy of war, to abate the difficulties of coexistence by correcting the circumstances affording special advantage to the adversary, and to work with other nations as best we can to guide international life toward the patterns of conduct preferable to us.

This policy, often called the policy of containment, is sometimes criticized as if it aimed for a protracted, static confrontation—a sort of perpetually frozen *status quo*.

Such perpetual equilibrium is foreign to the processes of history.

The policy is based upon no assumption of arresting change. It rests rather upon the assumption that the factors of position, population, talents, resources, and moral values redound to the ultimate advantage of the side of our interests, and that, in the long pull, it will be the adversary who must adjust his purposes.

This is not a foregone conclusion. What we and our friends do will be an essential factor in determining the outcome.

This is no cause for disquiet. History presents no foregone conclusions. I know of no way to formulate a policy that will absolve us from the subsequent necessity of exercising resolution and restraint and paying the costs, whatever they may be.

Three Lines of Policy

The policy works along three general lines.

The first is to make coexistence more tolerable. This calls for improving our armed strength and that of the nations standing with us and combining them more effectively through a system of alliances; for helping the depleted and dislocated economies of our friends to regain a healthy level of activity; for helping the economically lagging countries to improve their production methods; and for widening the area of peace by bringing the former enemy countries, Japan and Western Germany, back into collaboration with other countries.

The second line is to prevent serious deteriorations in the conditions of coexistence by avoiding losses in areas of sharp political conflict.

The third general line relates to the development of international usages and institutions of responsibility as instruments of free collaboration among nations instead of the collaboration by intimidation offered by the adversary.

To succeed in these endeavors will require the collaboration of others.

They will not work along with us on the basis solely of our national interest. The collaboration must be founded on an identity among their interests and ours. The primary responsibility for discovering and developing that identity of interests is ours, because we are in the position of greatest strength.

This is not a simple responsibility. It is irksome and expensive and contains no easy formula for complete success in a stipulated interval.

The policy of responsibility lacks the simplicity—here I use the word “simplicity” in the sense of Proverbs 1:22—of the counsel of unlimited violence, a counsel based on the fallacy of trying to reduce all problems of power to the limits of the problems of force.

The policy lacks the utopian tidiness of the dream of solution by world government.

It lacks the traditional ring of the counsel of solution by default, by which I mean the idea of confining our security to this hemisphere—a counsel put forth by some claiming the mantle of statesmanship even though the formula on which it rests contains a fallacy recognizable to any school boy familiar with solid geometry. The fallacy inheres in this: Two points on the same sphere can never be farther than a hemisphere apart; hence the whole world lies in the same hemisphere with us.

Transcending National Interest

The policy based on the principle of responsibility lacks the crisp appeal of a phrase like "the national interest." It involves this paradox—that we can serve our national interest in these times only by a policy which transcends our national interest. This is the meaning of responsibility.

No nation could ask more of history than the privilege of coming to great responsibility.

To satisfy our American professions of the values of competition, we have at hand one of the most exacting contests in ideas ever experienced.

To test our faith in freedom, we have abundant opportunity to make choices of action that will profoundly affect the course of human affairs.

To test our devotion to values, we have the opportunity not simply to proclaim them but actually to support them by gifts and deeds and perseverance.

This juncture in our experience is not comforting for those who take the utopian approach to in-

ternational problems—those who remind one of Kipling's lines:

Thinking of beautiful things we know;
Dreaming of deeds that we mean to do,
All complete, in a minute or two—
Something noble, and grand and good,
Won by merely wishing we could.

I recall the words opening one of Christina Rossetti's poems:

Does the road lead uphill all the way?
Yes, to the very end.

That is the road which a great and responsible nation must tread. It is an uphill road all the way. For Americans who do not mind walking that kind of a road, this is not a time for misgiving but a great time in which to live.

•*Mr. Marshall is a member of the Policy Planning Staff, Department of State. The above article is derived from an address made before the American Academy of Political and Social Science, Philadelphia, Pa., on Apr. 18.*

Component Parts of the Mutual Security Program: Military Aid, Defense Support, Technical Assistance

by Myron M. Cowen
Consultant to the Secretary¹

The world in which we live has been becoming more complex each year. At least the problems with which we as Americans must contend have become more complex with a geometric rather than arithmetical progression. In less than the lifetime of many of us present, since the year 1900, the world which we inherited from our fathers has seen more changes than our ancestors had seen in thousands of years. It is not only the magnitude of change that affects us, but the accelerating rate of change. We have become familiar with the new physical forces unknown to the world of our grandparents. The new sources of power for electricity and petroleum products have changed our industrial system. We are now familiar with the political changes from what now appears to us as the halcyon years of the Edwardian twilight to the middle of the century. We are engaged in a race of adjustment. The problem of civilized man today is the problem of understanding, assimilating, and controlling the new forces loose in the world.

In the United States we have a special problem, in addition to this, because we must attempt to understand and act wisely as our country's position has been changing from the security in which it lay beyond two great oceans in the year 1900 to a world from which that type of security has disappeared forever. When we think of security today, we must always think in terms of atomic explosions, planes, and guided missiles that travel faster than the speed of sound. Our way of life and our system of Government are being given their strongest test today, and they are going to succeed or fail depending upon the amount of understanding and wisdom with which our citizens approach their problems. Forums and conferences such as this are indispensable to our survival. You, as citizens, must understand what your Government is trying to do, and you must participate in its decisions. Regardless of the inherent complexity of modern government, you must not delegate to anyone responsibility beyond your close understanding and participation.

Obviously, without understanding we cannot have responsible participation. I would suggest that this type of conference which you, by your

¹ Address made before the University of Colorado World Affairs Conference at Boulder, Colo., on Apr. 15 and released to the press on the same date.

participation, are jointly developing with the University of Colorado is rapidly becoming part of our democratic machinery.

MSP: A Basic Vehicle of Our Foreign Policy

I want to talk to you about the major problem which our Government faces today. That is the problem of our foreign relations.

It is not my intention to repeat the familiar statements on the nature and scope of the menace posed by Soviet communism. We all understand that the United States, and the free world, is confronted by an aggressive totalitarian force, a force which is seeking world domination and which is accompanied by a dogma that preaches the inevitability of such domination.

It is my intention to tell you something about what our Government is doing to maintain and strengthen this Nation's security. The fundamental principle of our foreign policy is, of course, to preserve the security and well-being of our own nations.

Unfortunately, self-preservation in this kind of world is no simple matter. Today, that term applies a very direct complex relationship between ourselves and other free peoples of the world. Neither we nor they can stand alone in today's world. To attempt to do so would almost seem to be fatal. President Truman made that point well in a recent message to Congress.² He said:

Without our friends abroad, the threat of aggression would move close to our own shores. Without their armed forces, the bases on their soil, and the raw materials from their mines and forests, our military power would be gravely hampered in its defense of the United States, and our whole economy would be seriously weakened.

I could go on and cite innumerable statistics to demonstrate how dependent this country is upon the rest of the free world. I could point out that we are reasonably self-sufficient in only six of the basic raw materials which are of strategic importance to us production-wise. I could point out that the loss of Western Europe alone would give the Soviet bloc the balance of power in terms of population control, technical skill and manpower, and in some of the basic ingredients of the industrial capacity. And, of course, the converse of this is directly true. The rest of the free world would have little chance of survival without the strength and determination of the American people to help them.

But all of this is common knowledge. You and I understand that we must work with others if we are to bring about an adequate defense against aggression. You and I know that the only chance for a decent peace lies in a mutual-security effort by all of the free peoples.

That is why I want to spend my time today talking about America's Mutual Security Program. That program is one of the basic vehicles of our foreign policy. It is a hard-headed and, I believe, a well thought out program to build the collective strength we need for our security. The Mutual Security Program is one part of our mutual-security effort. Its purpose is to be, as General Eisenhower said, "a real deterrent to aggression." The funds asked by the President for this program represent approximately 12½ percent of that part of our budget which is devoted to security. The President has recommended appropriations of \$4 billion dollars in round figures for our major security programs, defense programs, and the like. He has recommended 7.9 billion dollars specifically for the Mutual Security Program to help build the strength of our friends and allies.

The Appropriation Recommended

Let us look at the President's recommendation more closely. This recommendation for an appropriation of 7.9 billion dollars breaks down this way:

The lion's share—\$5,350,000,000—is for direct military assistance, and \$1,819,000,000 is for defense-support efforts. The remaining \$656,000,000 is for economic and technical assistance.

Direct military assistance, defense support, economic and technical assistance—what do these phrases mean? What are included under these headings in the President's recommendation?

MILITARY ASSISTANCE

Military assistance is just what it says. It has to do with helping our friends develop the weapons for defense and the trained manpower to handle these weapons. It is concerned primarily with military production of munitions. It is concerned—to cite one highly important example—with the equipping of the North Atlantic Treaty Organization forces in Europe with the physical means of deterring aggression. The overwhelming bulk of military-aid funds will go into the provision of guns, planes, tanks, and other military items within the United States which will be shipped to our friends abroad. When you look at the appropriation figure, this assistance I have just mentioned you will find described under the heading "end items."

You will see, in addition to that heading, another one called "offshore procurement." In addition to the munitions which we produce here in this country, we expect to place approximately one billion dollars of contracts in Western Europe in the coming fiscal year for the production in Western Europe of military equipment, ammunition, electronics, spare parts, naval craft. This so-called "offshore procurement" serves several purposes. It produces needed equipment more cheaply than it could be produced here. Offshore

² BULLETIN of Mar. 17, 1952, p. 403.

procurement is also a source of needed dollar earnings. It enables our partners to develop their capacity for arms production by making use of their available labor and industrial facilities. It brings close the time when they will be able to carry the production load themselves. All these things add up to what we mean when we talk of direct military assistance.

Now, what do we mean when we talk of defense support? In Western Europe you have highly developed economies, workshops with the ability to produce great quantities of goods. The assistance that we give these economies is to allow them to import and pay for goods, materials, and commodities which their workshops need in order to produce the necessary goods and commodities to support their own defense effort.

Secretary of State Acheson, in his recent testimony before the Senate Committee on Foreign Relations, gave an excellent example of defense support. He was talking about the close and vital relationship between the stability of a nation's economy and its ability to defend itself.

The Secretary of State cited Great Britain as an example of an indispensable ally, vitally in need of defense-support funds if she was effectively to discharge her obligations to the free world's united defense program.³

Now Great Britain has to import heavily if she is to survive. Great Britain lives by importing food and raw materials, converting these materials into exports, selling the exports in order to get the means with which to buy more food and more raw materials.

Great Britain thus follows a type of trade cycle. As long as her exports and imports are in balance—as long as she is not paying out more than she is receiving—Great Britain gets along nicely. She had reached this state by the middle of 1951. She was making ends meet.

Then when her rearmament program went into high gear, that program added to heightened demand for raw materials on the world market. The result: Prices of those materials went up.

What happened to Great Britain? Her rearmament program is primarily dependent upon the British metal-using industry. But those industries account for 50 percent of all British exports in normal times. The rearmament program is now taking one quarter of the production of these metal-using industries which account for 50 percent of all British exports. The upshot is that Great Britain is not only paying more for her raw materials from abroad; she also has fewer finished products to export, fewer products with which to pay the cost of the even more urgently needed imports.

Britain's trade cycle has become a vicious trade cycle. This makes for a considerable drain on British gold and dollar reserves. The drain is

stepped up even further when other nations—for whom Great Britain serves as a sort of bank or family clearinghouse—begin to withdraw funds. The withdrawals become heavier because the prices of products in the world market are going up, and these countries want to buy what they need before prices get any higher.

Great Britain is now operating at a large deficit. Her financial position is made more difficult. She is caught between Scylla and Charybdis, or, as we say here, between a rock and a hard place—she is caught between the requirements of the civilian population and the demands of military security.

Faced with this situation, the British are faced with the necessity of taking drastic steps and they have taken them. They have cut their imports. They have cut down their subsidization of foods. They have cut the costs of Government. The degree of austerity which the British people have forced upon themselves is almost inconceivable to us. I dare say that most of us here would not dream of going without some of the things the British are going without unless we were actually engaged in a world-wide war.

But even this austerity has not been enough. Britain's reserves have continued to drop off. Unless the drain on those reserves is effectively halted, Britain will neither be able to maintain a going economy nor meet her commitments under the free world's mutual-defense program. Britain would stop manufacturing the means of defense.

Britain's failure in this respect—or for that matter the failure of any of our other European friends—would be fatal to the mutual-defense effort. To say the least, America's own security would be even more seriously endangered. To use the President's words again, "the threat of aggression would move close to our own shores."

DEFENSE SUPPORT

This, then, is where the defense-support program comes in. Under that program, we Americans are helping Great Britain to do two things. We are putting up money to buy some of the raw materials which Britain needs to keep her factories busy turning out badly needed military goods. We are also helping to buy the food and textiles needed to help the British people maintain a tolerable standard of living and to continue to work effectively for the common good.

Not only will defense-support funds help to keep the British economy sufficiently stable to meet defense requirements, it will return much more than a dollar in actual defense materials for each dollar spent. For the English add their skilled labor and their factory plant to the raw materials which the American dollar is buying.

Defense-support aid is absolutely essential if we are to have genuine security for America. The situation in England is—in many respects—the situation in which most of the countries of Western Europe find themselves.

³ *Ibid.*, Mar. 24, 1952, p. 463.

It is well enough to offer our allies guns with one hand. But that gesture will mean relatively little if we do not give them the necessary defense support with the other.

TECHNICAL ASSISTANCE

Now I have commented at length on two of the three types of aid provided under the Mutual Security Program. I should like now to consider briefly the third type of assistance—technical assistance. This is more popularly known as Point Four. And Point Four is designed to help the peoples of the world's underdeveloped areas to develop their technologies and thus to better their standard of living as well as their ability to defend themselves.

Because the Point Four or technical-assistance part of the Mutual Security Program is better known than other aspects of it, I shall today touch just one part of the program. In fact, just one part of the program in one country—India.

India's overriding problem is food production. Accordingly, the assistance program for India will emphasize food production, and the work will be done at the village level.

The program will be based on the creation of village centers, such as the recent successful village experiments in the Etawah region. Etawah is a 100-square-mile area in which a group of Indian agricultural experts, with the participation of several Americans, increased local food production during the period 1949-52 by 46 percent. The methods used were simple. These technicians, or shirt-sleeved diplomats as they have been called, convinced local farmers to try a better yielding, native variety of wheat and the use of a native legume as a green manure crop. They introduced a locally made plow with a six-pound steel point. They inoculated cattle. They started simple sanitation practices in the village. As a byproduct the villagers asked for classes in adult literacy and volunteered their labor on local roads and irrigation ditches.

The Indian Government seeks, with American help, to complete the establishment of 80 such village centers in 1953; each center, starting with a few villages as a training base, will reach out within 4 years to encompass 200,000 people. Thus, the village centers undertaken in 1953 are designed to reach 16,000,000 people.

It is the plan of the Indian Government to expand this village work to 160 centers in 1952, 320 centers in 1955, and 600 centers in 1956. By the end of the Indian 5-Year Plan, 1956, the national goal is to produce 7,000,000 tons more grain per year. Within 3 years we hope to find that our American technicians will have worked themselves out of their jobs. The development centers will be left in the hands of the Indians themselves.

This is a bold plan. If carried through successfully, it would be the greatest agricultural im-

provement program ever carried out by an underdeveloped country in so short a time. U.S. assistance will be used primarily for personnel and materials needed from outside India, and most of it will be applied to this village approach. Most of the cost will be in Indian rupees, and most of the personnel will be Indians.

Since more irrigation water is the largest ultimate factor in expanding food production, substantial American help will be used for engineering services and equipment on major irrigation projects, now under construction, and calculated to increase India's irrigated area by 27,000,000 acres.

This, then, is but a very small part of the Point Four story. What we are seeking to do in India, we are also seeking to do in many other underdeveloped areas. In helping those free peoples who lack our technological development, we are striking a mighty blow for freedom as well as for humanity.

Military aid, defense support, technical assistance—these are the three component parts of the Mutual Security Program budget.

Are we getting true value received for the funds we have been, and are, investing? This is, of course, the crucial question. The usual practical test as to the effectiveness of an action taken lies in the results achieved.

Answers to Criticisms

I think, therefore, that we ought to take a look at some of the criticisms that have been made of the Mutual Security Program. More specifically, at some of the questions that have been raised as to the manner in which the program is being carried through.

One such question has to do with whether or not our European friends are shouldering their fair share of the load. I should like to state categorically that they are doing all they can at present within the limits imposed by their domestic economic situations.

They are meeting their commitments to the North Atlantic Treaty defense organization. The productivity of Western Europe as a whole is now some 40 percent above what it was before World War II. And it would be well for us to bear in mind that Western Europe—not the United States—was devastated by war.

To attempt to impose additional military defense burdens upon the still shaky economies of our European allies would be to court disaster both for them and for ourselves. Production-wise, the factories of Western Europe are doing as much for our common defense as the traffic will bear.

Much has been made of the statement that the Europeans are not taxing themselves as steeply as we are. It is true that there are some inequities in the tax structures of some of the Western European nations. It is *not* true that the European man in the street is not carrying his share of the

tax burden. Here are just a few of the relevant figures!

Tax receipts in the United States for 1951 amounted to 25.8 percent of our gross national product. In the United Kingdom, the comparative percentage was 33.7. In the Netherlands, it was 28.3. In France, it was 30.7. In the Federal Republic of Germany (West Germany), it was 30.3.

In some of the Western European countries, the percentage was somewhat lower than in our own country. But, by and large, Western Europe is doing its share in footing the bill for the free world's defense and security.

Looking at this matter of the military defense tax burden from the standpoint of the average citizen, it is well to recall that the typical American is a lot better off than his Western European counterpart. The average yearly income of the Western European is about \$600, not quite one-third of the average in our own country. For us, a substantial diversion of our material resources to the defense effort may mean less luxury goods for the individual.

For the European, such a diversion of resources means less food and less clothing.

I must reiterate: Our overseas allies are doing their share in carrying the load imposed by defense requirements. They can do more only if we help them to do more.

Now, another criticism of the Mutual Security Program's operations which has been widely heard goes something like this: Why are we asking for 7.9 billion dollars for the next fiscal year when we have yet to expend all of the funds appropriated for the current fiscal year?

The answer here is a complex one. But it is completely valid.

In the first place, the production of a tank, a plane or a piece of artillery does not begin and end with an agreement as to a given blueprint. From the time a military end-item is authorized to the time it comes off the assembly line, a number of months must pass.

This time lag has little relation to any possible deficiencies in planning, poor coordination, or inefficient productive techniques.

It has everything to do with the complexity of modern arms.

Let us take the fighter plane as an example. It takes about 18 months to produce the simplest type of fighter plane from the time the basic raw materials are gathered together to the time the plane is actually finished. The more complex fighter and, of course, the bomber take even longer.

Looking at the fighter plane, we find that its complexity has increased considerably since World War II. The World War II fighter had 515 electrical wires measuring about 920 feet. The fighter of today has about 5,525 wires measuring about 23,000 feet.

The time from drawing board to delivery date is

much longer than it ever was before. You place contracts this year for planes that you wish in production next year and the year after. The Congress appropriated in 1952 money that will not be spent until 1953 or 1954. This is, of course, quite proper. Anyone with experience in industrial planning will readily agree.

But the time lag between purchase order and actual production, then, is one explanation of why we haven't as yet spent all of the funds appropriated for fiscal year 1952. And that lag is directly related to the problem of complexity of military equipment.

But there is a second and perhaps even more vital explanation—an explanation which has to do with the over-all requirements of the American people during a period of international instability.

Today, America is neither completely at war nor completely at peace. American boys are fighting with the U.N. forces in Korea even as are those of our allies. But America is not engaged in a global warfare. And America is doing everything possible to prevent such warfare from breaking out.

The problem we face, economically speaking, is to maintain a reasonable balance between the needs of military defense and the civilian needs of the American people.

Secretary of Defense Robert A. Lovett put it very well in a recent statement. He said:

Under the system of partial mobilization, we want to expand production so that we do not have to use up more metal than is necessary, or divert more manpower than is necessary from our civilian economy, not only to preserve the civilian economy but to give us an expandable base in case the tragedy of war hit us.

Mr. Lovett went on to say that we must have enough military material and enough troops ready to serve as a deterrent so that any potential aggressor would know that he would not have an easy victory and ultimately that he would be defeated. "We must have," he said, "a military force in being but yet maintain sufficient economic flexibility to improve, add to, or change the nature of that force should it become necessary to do so."

I grant you that this makes for very tricky going. But the fact of the matter is that, from the defense planning point of view, it cannot be a question of going whole hog or none. We have to get the planes, tanks, and guns we need into the field when they are needed, and where they are needed. But we must still have ready access to the funds with which to produce different types and different quantities of weapons with which to meet any changes in the situation that may arise.

What we have done is to make a conscientious choice. We wanted to get enough of the current equipment to guarantee that if something happened in 1951 or 1952, our fighting men would not be without reasonably competent equipment, but we did not want to freeze ourselves with equipment that would be outdated. We wanted to be

sure that we could make the best use of our advantages in research and development and be able to continue to produce new and better equipment.

There are, in short, both long and short term aspects to the Mutual Security Program. And there is the question of maintaining reasonable balance between the civilian and military defense requirements of the Nation.

If we bear these things in mind, we will find that much of the criticism of our "failure" to spend all of the Mutual Security funds heretofore allotted is unwarranted.

The Time for Decision

The Mutual Security Program is now being considered by the Congress. As you know, most of the discussion has centered about the amount of the program, whether it is too large a program, whether the countries who are receiving assistance could not do more themselves, whether they actually needed this aid.

The objective of the program is to create such forces for ourselves and for our allies that they will be, in General Eisenhower's language, a real deterrent to aggression. Before this program was sent to the Congress by President Truman, each part of it had gone through the closest and most

rigorous screening. This screening had started with our missions abroad. Before their recommendations came to Washington, they had been carefully examined by our representatives in each country. Then in Washington they were carefully examined again at each stage before the program as a whole was presented to the Director of the Budget. Then it was screened again. Actually, the program is considerably smaller than that which had been recommended by a good many officials. In its present form, it can be quite accurately described as the minimum program to do what it sets out to do.

The hearings in Congress are about through. Congress has heard the testimony of the top officials from the Executive Branch of the Government and it has heard the opinion of our top military leaders here and overseas. They have said in their own opinion that this program for 7.9 billion dollars is essential if our objective is to have at a reasonably early date force and sufficient economic and political stability to be a real deterrent to aggression. Anything less than this program could only dangerously delay the establishment of a healthy and hopeful condition for peace and security. The choice and the decision now rest with each of you and your elected representatives.

The Heritage of the Americas

by Howland H. Sargeant
Assistant Secretary for Public Affairs¹

We of the Americas have developed something very important to the world. We have evolved a system in which men and nations can make gatherings such as this the basis of their relationship. There have been difficulties, but we have found ways to solve them.

Over a century ago José del Valle, of Honduras, who wrote Central America's Declaration of Independence, said that "the proper study of the men of America is America."

We have made that study our business. With what results?

Well, today the nations of the Americas are giving the rest of the world a practical demonstration that wars are unnecessary, that international problems can be settled in friendship and in peace.

The great liberator, Simon Bolivar, said that

war was the epitome of all evils. We of the Americas have outlawed war in our hemisphere.

Maintaining Peace and Freedom

Understand me. Bolivar did not believe—we do not believe—in peace at any price. To quote Bolivar: "The sacrifices we have made on behalf of peace are less than those we owe to the maintenance of freedom."

We of the Americas believe in peace and freedom. We believe that both are attainable if men and nations work together toward that goal.

This togetherness of the Americas has grown with the years. It is today firmly cemented in our united resolution to preserve our freedom and work for an enduring peace.

The Knights have chosen Columbus as their patron. Columbus is a hero to all Americans—north, central, south. He belongs to all of us. The smallest of the American nations has as much right to pride in him as the greatest. His name,

¹ Address made before the Washington General Assembly, Knights of Columbus, on Apr. 24 and released to the press on the same date.

and that of his great queen, Isabel, are honored throughout our hemisphere. Why?

Well, I do not think it is solely because he "discovered" America. His name represents to us something even more important than that. It represents unselfish courage—persistence in the face of great difficulties—faith.

It represents, in short, the essence of everything we believe America to represent.

These qualities are always important. Today, in the gravest crisis ever faced by free men, they are our first defense.

Courage! As Secretary Acheson said last Saturday before the American Society of Newspaper Editors,² our people must have "nerve and steadfastness" if we are to preserve our liberties.

In summoning "nerve and steadfastness" to our defense, we Americans turn for inspiration to the great figures of our past.

We think of Washington in the dark days of our struggle for independence.

We think of José Martí, father of Cuban independence. Someone once wrote of Martí:

"If one were to pick any one man to represent the spirit of Latin America, it would be Martí."

I would add to that. Not Latin America alone but all the Americas take courage from the name of José Martí. Martí was one of the originators of the Good Neighbor Policy. He prophesied that the day would come when the Americas would form one great community to stand or fall together.

Bolívar, too, dreamed of the Americas united in peace and standing together in defense of freedom. He foresaw that the power of this community—the American community—would be brought to the defense of any nation threatened by a foreign enemy or by internal factions threatening anarchy.

Persistence in the face of difficulties!

All of these men shared this quality. For none was the path made smooth. Most of them knew that they must die before their goals were achieved. But they persisted.

Faith!

These men believed in that for which they fought and worked. Their courage and persistence had roots in their faith. They knew their cause could not fail.

José de San Martín—the Washington of Argentina, the liberator of Chile and Peru—put that cause in these words: "The cause that I defend is the cause of the human race."

These men believed that the "cause of the human race" was not limited by national boundaries. They saw that when liberty anywhere was threatened, liberty everywhere was in danger.

I like to remember that General Miranda, Venezuela's great hero, volunteered for our Revolutionary Army. Bolívar corresponded with Henry

Clay upon the subject of freedom. Artigas, national hero of Uruguay, and Tiradentes, revolutionary martyr of Brazil, carried with them on their campaigns the text of the Declaration of Independence of the United States. They quoted from that text in talks with their armies.

All of us remember that it was in Philadelphia, in 1791, that the Peruvian Jesuit, Viscardo, published his famous letter calling on Spanish Americans to assert their freedom.

I could recall many other great names in the history of the Americas. These names are a joint heritage for all of the Americas. As with Columbus, we all claim them as our own.

Basis of Inter-American Unity

The basis of our Western Hemisphere unity is of long standing. The foundations of that unity were laid long before the shadow of the Kremlin had darkened the world. In time that shadow will pass. When that happy day dawns, we of the Americas will be found still working together on the problems of peace. Not even the urgent demands of our defenses have been able to divert our energies from that program.

Most of us remember that it was just 10 years ago this month that the Institute of Inter-American Affairs was founded. That program—a program for the peaceful improvement of the lot of men—has become a pattern not only for inter-American cooperation but for world cooperation.

As President Truman has said, "With such a program, we could, in cooperation with other peoples, inaugurate the most hopeful and fruitful period of peaceful development the world has ever seen."³

I thank my good friends of the Knights of Columbus for the opportunity to be here tonight. And I would like to say again, in behalf of my country: "You, our distinguished guests from the Americas, are very welcome. Come again."

IMC Reviews Newsprint Situation

The Pulp-Paper Committee of the International Materials Conference on April 16 announced that its member governments have unanimously accepted its recommendation that no newsprint allocations be made at this time; but the Committee has been directed to keep free world newsprint problems under review and to recommend allocations or other action if necessary.

This agreement follows a report from the Committee that the 1952 newsprint situation in the free world indicates total production of approximately 8,928,000 metric tons, and total require-

² BULLETIN of Apr. 28, 1952, p. 647.

³ Ibid., June 4, 1951, p. 883.

ments of approximately 8,920,000 metric tons, thus showing supply and demand virtually in balance.

This report, based largely upon the reporting countries' own estimates of requirements and production, confirms previous indications that the tight supply situation which has existed since 1950 is easing, and that countries now have reasonable prospects of improving their newsprint position during 1952. However, such prospects could be affected by shortages of producers' raw materials, or even by minor variation in consumption levels of the major consuming countries.

An important factor in the improved newsprint position is the increased production of supplying countries. The Committee reports that through more efficient use of existing mills and by addition of new capacity, 1952 production in the free world of 8,928,000 metric tons will be about four percent or 343,000 metric tons above the 1951 level. This forecast assumes full and continuous use of production capacity throughout the year; irregularity of demand, therefore, could lead to reduced production and possibly to new supply difficulties.

The 1952 requirements of leading consuming countries showed few appreciable increases over last year. Also, total stocks of newsprint at the beginning of 1952 were much higher than in January 1951. Moreover, in arriving at a balance between supply and demand for 1952, a further substantial increase in free world stocks during this year was taken into account.

The Committee will keep itself fully informed on any reversal of present supply and consumption trends. All member countries have agreed to consider recommendations for the resumption of allocation plans should circumstances require.

During the course of its previous studies, the Committee recommended four emergency allocations totaling 33,650 metric tons of newsprint to 18 countries, and all these tonnages have now been delivered.

Fifteen nations are represented on the Pulp-Paper Committee. They are Australia, Austria, Belgium, Brazil, Canada, France, the Federal Republic of Germany, Italy, Japan, Mexico, the Netherlands, Norway, Sweden, the United Kingdom, and the United States.

Arrangements Completed for Cotton Credit to Spain

On April 23 the Export-Import Bank announced that arrangements have now been completed for the operation of the recently authorized credit of 12 million dollars for the purchase and export of cotton to Spain.¹

¹ BULLETIN of Jan. 14, 1952, p. 47.

The credit, bearing interest at the rate of 2 3/4 percent per annum and repayable in 18 months, is extended to the following Spanish commercial banks with the guaranty of the Bank of Spain coupled with exchange assurances: Banco Hispano Americano, Banco Exterior de España, Banco Español de Crédito, Banco de Vizcaya, Banco Central, and Banco de Bilbao.

The Spanish commercial banks will in turn utilize the services of U.S. commercial banks. The following United States commercial banks have been designated for this purpose: Bank of America, National Trust & Savings Association; Chase National Bank of the City of New York; National City Bank of the City of New York; Irving Trust Company, New York; Bankers Trust Company, New York; and Manufacturers Trust Company, New York.

The credit is to be used to finance the purchase of raw cotton, including spinnable waste, which has been purchased under contract entered into subsequent to March 11 and shipped subsequent to the date of the contract.

Further detailed information will be supplied through the shippers' banks or their agents in Spain.

Military Assistance Agreement With Colombia

The Departments of State and Defense announced on April 17 that a bilateral military assistance agreement had been concluded on that day with the Government of Colombia.¹

The agreement was effected by an exchange of notes signed by the American Ambassador to Colombia, Capus M. Waynick, and Gonzalo Restrepo Jaramillo, Foreign Minister of Colombia. It is the sixth of its kind to be signed as the result of negotiations which the United States is conducting with certain of the other American Republics.² Under these agreements certain of the other American Republics will be assisted in developing their capabilities to participate in the collective defense of the Western Hemisphere.

The agreement concluded with Colombia is consistent with, and conforms to, inter-American instruments already in effect, such as the inter-American treaty of reciprocal assistance (the Rio treaty), the resolution on inter-American military cooperation approved at the Washington Meeting of Foreign Ministers of 1951, and the continuous planning of the Inter-American Defense Board.

¹ For text of the agreement, see Department of State press release 296 of Apr. 17.

² For text of a similar agreement with Ecuador, see BULLETIN of Mar. 3, p. 336.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Calendar of Meetings¹

Adjourned During April 1952

ICAO (International Civil Aviation Organization):

Council: 15th Session	Montreal	Jan. 29-Apr. 2
Air Navigation Commission: 9th Session	Montreal	Jan. 29-Apr. 2
Tripartite Conference on Aid to Yugoslavia: Second Conference	Washington	Feb. 19-Apr. 21

UN (United Nations):

Trusteeship Council: 10th Session	New York	Feb. 27-Apr. 1
8th Session of the Trusteeship Council Committee on Rural Economic Development of the Trust Territories.	New York	Apr. 15 and 18

International Children's Emergency Fund:

Committee on Consultative Status for UNICEF Advisory Committee of Nongovernmental Organizations.	New York	Apr. 8 and 25
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UNICEF-WHO Joint Committee on Health Policy	New York	Apr. 9-11
Working Party on the Creation of a General Fund Raising Committee.	New York	Apr. 11 and 25

Program Committee

Committee on Administrative Budget	New York	Apr. 18 (1 day)
Executive Board	New York	Apr. 22-24

Economic and Social Council:

Commission on Status of Women: 6th Session	Geneva	Mar. 24-Apr. 4
Committee on Nongovernmental Organizations.	New York	Apr. 8-9

Second International Industries Fair

UNESCO (United Nations Educational, Scientific and Cultural Organization):	Karachi	Mar. 1-Apr. 6
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Executive Board: 29th Session

Paris	Mar. 13-Apr. 7
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Arid Zone Hydrology, International Symposium on	Ankara	Apr. 25-29
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4th Inter-American Conference on Social Security

Mexico City	Mar. 24-Apr. 8
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ITU (International Telecommunication Union):

CCIR International Radio Consultative Committee:	The Hague	Apr. 1-10
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Study Group I	The Hague	Apr. 1-10
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Study Group III	The Hague	Apr. 1-10
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NATO (North Atlantic Treaty Organization):

Petroleum Planning Committee: 1st Meeting	London	Apr. 2-14
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FAO (Food and Agriculture Organization):

Second Training Course for Agricultural Extension Workers of the Western Hemisphere.	San José	Apr. 6-25
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Meeting of Governing Board of Inter-American Indian Institute

Mexico City	Apr. 10-11
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Milan International Trade Fair

Milan	Apr. 12-30
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1st Inter-American Convention of National Associations of Travel Agencies.

Lima	Apr. 12-15
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4th Inter-American Travel Congress

Lima	Apr. 12-20
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ILO (International Labor Organization):

Fifth Regional Conference of American States Members	Rio de Janeiro	Apr. 17-30
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Meeting of the Council, Interparliamentary Union

Nice	Apr. 15-19
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34th International Lyon Fair

Lyon	Apr. 19-28
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PASO (Pan American Sanitary Organization):

Executive Committee: 16th Meeting	Washington	Apr. 21-30
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International Cattle Exposition

Habana	March-April
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In Session as of April 30, 1952

International Materials Conference	Washington	Feb. 26, 1951-
Four Power Conference on Swiss-Allied Accord	Bern	Mar. 5, 1951-
West Point Sesquicentennial	West Point	Jan.-

¹ Prepared in the Division of International Conferences, Department of State, Apr. 25, 1952. Asterisks indicate tentative dates.

Calendar of Meetings—Continued

In Session as of April 30, 1952—Continued

International Conference on German Debts	London	Feb. 28-
International Exhibition of Drawings and Engravings	Lugano, Switzerland	Apr. 10-
UN (United Nations):		
Economic and Social Council:		
Human Rights Commission: 8th Session	New York	Apr. 14-
Narcotic Drugs Commission: 7th Session	New York	Apr. 15-
Ad Hoc Committee on Restrictive Business Practices: 2d Meeting	New York	Apr. 28-
International Wheat Council: 8th Session	London	Apr. 17-
ILO (International Labor Organization):		
Metal Trades Committee: 4th Session	Geneva	Apr. 21-
ITU (International Telecommunication Union):		
Administrative Council: 7th Session	Geneva	Apr. 21-
Cannes International Film Festival	Cannes	Apr. 23-
South Pacific Commission: 9th Session	Nouméa	Apr. 28-
Sixth International Hydrographic Conference	Monaco	Apr. 29-

Scheduled May 1-July 31, 1952

NATO (North Atlantic Treaty Organization):		
Petroleum Planning Committee, Meeting of Working Group	Paris	May 1*
FAO (Food and Agriculture Organization):		
Planning Board for Ocean Shipping: 4th Meeting	Washington	May 12-
Diplomatic Conference on Maritime Law	Brussels	May 2-
Working Party on Fertilizers: 2d Meeting	Bandung, Indonesia	May 5-
Working Party on Rice Breeding: 3d Meeting	Bandung, Indonesia	May 5-
International Rice Commission: 3d Meeting	Bandung, Indonesia	May 12-
Meeting on Fisheries Statistics	Copenhagen	May 26-
FAO-Caribbean Commission Meeting of International Poplar Commission.	Rome	May 26-
Committee on Commodity Problems	Rome	June 3-
Council: 15th Session	Rome	June 9-
European Forestry and Forest Products Commission: Meeting of Working Party on Torrent Control and Protection of Avalanches.	Nice	June 28-
FAO-Caribbean Commission, Meeting on Home Economics and Education in Nutrition: 2d Regional.	Port-of-Spain	June 30-
WHO (World Health Organization):		
5th Assembly	Geneva	May 5-
Executive Board: 10th Session	Geneva	May 28-
ILO (International Labor Organization):		
Iron and Steel Committee: 4th Session	Geneva	May 5-
Governing Body: 119th Session	Geneva	May 26-
35th Session of the ILO	Geneva	June 4-
International Rubber Study Group: 9th Meeting	Ottawa	May 5-
Caribbean Commission: 14th Meeting	Guadeloupe	May 6-
International Symposium on Problems of Desert Research	Jerusalem	May 7-
Sample Fairs	Valencia and Barcelona	May 10- June 10-
ICAO (International Civil Aviation Organization):		
Council: 16th Session	Montreal	May 13-
Air Navigation Commission: 10th Session	Montreal	May 13-
Standing Committee on Aircraft Performance: 2d	Copenhagen	May 19-
Sixth Annual Assembly	Montreal	May 27-
UN (United Nations):		
Economic and Social Council:		
Fourteenth Session of the Council	New York	May 13-
Social Commission: 8th Session	New York	May 12-
Technical Assistance Committee	New York	June-
Technical Assistance Committee	New York	July 7-
Economic Commission for Asia and the Far East: 2d Meeting, Working Party on Small Scale Industries and Handicrafts Marketing.	Bangkok	July 28-
Trusteeship Council: 11th Session	New York	June 3-
Fisheries Conference, South Pacific Commission	Nouméa	May 14-
Universal Postal Union: 13th Congress	Brussels	May 14-
ITU (International Telecommunication Union):		
CCIR International Radio Consultative Committee:		
Study Group V	Stockholm	May 15-
Study Group VI	Stockholm	May 15-
Study Group XI	Stockholm	May 19-
European Regional Conference on VHF Broadcasting (41 mc/s to 216 mc/s).	Stockholm	May 28*

Calendar of Meetings—Continued

Scheduled May 1-July 31, 1952—Continued

International Cotton Advisory Committee: 11th Session	Rome	May 17-
Paris International Trade Fair	Paris	May 17-
UNESCO Executive Board: 30th Session	Paris	May 24-
WMO (World Meteorological Organization):		
Regional Association for Europe: 1st Session	Zürich	May 26-
Meeting of Commission for Maritime Meteorology	London	July 14-
International Conference on Large Electric High Tension Systems:		
14th Session	Paris	May 28-
International Convention for Protection of Industrial Property	Vienna	June 2-
Provisional Intergovernmental Committee for the Movement of Migrants from Europe: First Meeting of Executive Committee .	Washington	June 3-
International Whaling Commission: 4th Meeting	London	May 29-
International Meeting of Tonnage Measurement Experts	The Hague	June 4-
Eighth General Assembly of the Inter-American Commission of Women.	Rio de Janeiro	June 8-
21st Session of the International Criminal Police Commission	Stockholm	June 9-
Annual Meeting of the Directing Council of the American Inter- national Institute for the Protection of Childhood	Montevideo	June 13-
26th Biennial International Exhibition of Art	Venice	June 14-
International Philatelic Exhibition	Utrecht	June 28-
Second Meeting, International Commission for the Northwest Atlantic Fisheries	St. Andrews (New Brunswick)	June 30*
Sixth International Congress for Animal Husbandry	Copenhagen	July 9-
Fifteenth International Conference on Public Education	Geneva	July 15-
International Conference on Soil Fertility	Dublin	July 21-
18th International Red Cross Conference	Toronto	July 23-
Pan American Institute of Geography and History:		
Third Consultation on Geography	Washington	July 25-
International Sugar Council	London	July or August

Continuation of Negotiations on Jammu and Kashmir

THIRD REPORT BY THE U.N. REPRESENTATIVE FOR INDIA AND PAKISTAN

On April 22 Frank P. Graham, U.N. Representative for India and Pakistan, transmitted to the Secretary-General his third report to the Security Council (S/2611).¹ In it he noted progress toward agreement on the remaining four proposals of his 12-point compromise plan. He stated that demilitarization of the State of Jammu and Kashmir had advanced to the point where prerequisites for a plebiscite should be considered, and that in the future he intends to consult with the U.N. Plebiscite Administrator-designate (Admiral Chester Nimitz).

Part I (not here printed) of the report deals with the 12 proposals for an agreement on demilitarization. In Part II, the U.N. Representative discusses the terms of reference laid down in the Security Council's resolution of March 30, 1951, analyzes other resolutions relating to his mission, and states his conclusions. Part III consists of

his recommendations. Those annexes to the report which are not printed here include the Security Council's resolution of November 10, 1951;² the U.N. Representative's letter of September 7, 1951, to the Prime Ministers of India and Pakistan; and a résumé of a statement made on February 5, 1952, by the Foreign Minister of Pakistan.

Following are the texts of the conclusions and recommendations contained in the report of the Security Council's resolution of March 30, 1951 (Annex I of the report), and of the Security Council President's statement of January 31, 1952 (Annex III), which directed the U.N. Representative to continue negotiations:

U.N. doc. S/2611
Dated Apr. 22, 1952
[Excerpts]

PART II

Conclusions

(1) Progress has been made on the twelve proposals

Progress has been made in the acceptance of an increas-

¹For excerpts from Mr. Graham's report of Oct. 15, 1951, see BULLETIN of Nov. 5, 1951, p. 738; for excerpts from his report of Dec. 18, 1951, see *ibid.*, Jan. 14, 1952, p. 52.

²*Ibid.*, Dec. 10, 1951, p. 959.

ing number of the twelve proposals for an agreement on demilitarization. On 15 October 1951 in his first report, the United Nations Representative reported to the Security Council that the two Governments had accepted four of the twelve proposals. On 19 December 1951, in his second report, he reported to the Security Council that four more of the twelve proposals, or a total of eight, had been accepted by both Governments.

He can now report acceptance, by Pakistan, of the remaining four proposals, with certain qualifications regarding the character of forces to be demilitarized. India maintains that if agreement can be reached on the issues of the number and character of forces to be left on each side of the cease-fire line, the other two remaining differences (i. e., the period of demilitarization and the induction into office of the Plebiscite Administrator) can be solved without difficulty.

The chief remaining obstacle is the difference over the number and character of forces to be left on each side of the cease-fire line at the end of the period of demilitarization.

(2) Progress has been made in demilitarization

(a) Substantial withdrawals of forces from the State of Jammu and Kashmir have been made from time to time by both India and Pakistan since the cease-fire on 1 January 1949.

(b) In response to discussions about further withdrawals of military forces from the State, the Government of India has, in addition, decided to withdraw unconditionally one division, with supporting armour. It estimates this to total 18,000 men.

(c) With such withdrawals it appears that the Governments of India and Pakistan will have both withdrawn over 50 per cent of their forces from the State.

(d) The Government of India has decided to withdraw to distances varying from 70 to 450 miles from the western Indo-Pakistan border, the forces which were moved up near that border last summer.

(e) The withdrawals referred to in sub-paragraphs (b) and (d) above are now in process of execution.

(f) The Government of Pakistan has indicated that most of its forces that were moved to the western Indo-Pakistan border during the past summer have been withdrawn to their peace-time stations.

(3) Inter-dependence of the two resolutions

Part II of the 13 August 1948 resolution and paragraphs 4 (a) and (b) of the 5 January resolution have been connected by the Governments of India and Pakistan and are inter-dependent on questions of demilitarization. Part II of the resolution of 13 August 1948³ and the resolution of 5 January 1949,⁴ as a whole, are inter-dependent on requirements relating to the preparation of a plebiscite.

(4) Concerning further procedures

The United Nations Representative should have in mind the considerations set forth in this report. In the future, the United Nations Representative, in addition to the assistance to be provided by his civilian and military advisers, has the purpose to have the view of the Plebiscite Administrator-designate on those problems which have a bearing on their common responsibilities. This consultation should be without prejudice to the question of the formal induction into office of the Plebiscite Administrator-designate, which should be a result of the further negotiations.

(5) Urgent need of a settlement

The need is urgent for the settlement of the dispute between India and Pakistan concerning the State of Jammu and Kashmir. This dispute has been before the Security Council for over four years. More than three

years ago the two Governments accepted the 13 August 1948 and the 5 January 1949 resolutions of the United Nations Commission for India and Pakistan. A settlement is important not only for the sake of approximately 4 million people in the State of Jammu and Kashmir, but also for the sake of over 400 million people in India and Pakistan, whose peaceful progress is of vital importance for the peoples of the world.

PART III

Recommendations

Accordingly, the United Nations Representative recommends:

(1) That, taking notice of the progress made in the demilitarization of the State of Jammu and Kashmir through withdrawals of forces from both sides of the cease-fire line, the Governments of India and Pakistan refrain from taking any action which would augment the present military potential of the forces in the State.

(2) That the Governments of India and Pakistan, taking into account their agreements under the UNCIP resolutions and their acceptances under the twelve proposals, should:

(a) Continue their determination not to resort to force and to adhere to peaceful procedures; and to follow faithfully their agreement to instruct their official spokesmen and to urge all their citizens not to make statements calculated to incite the people of either nation to make war against the other with regard to the question of Jammu and Kashmir (twelve proposals, paragraphs 1 and 2).

(b) Observe the cease-fire effective from 1 January 1949 and the Karachi Agreement of 27 July 1949 (twelve proposals, paragraph 3).

(3) That the Governments of India and Pakistan, as a means of further implementing the resolutions of 13 August 1948 and 5 January 1949, should undertake by 15 July 1952 further to reduce the forces under their control in the State of Jammu and Kashmir.

(4) That the United Nations Representative's negotiations with the Governments of India and Pakistan be continued with a view to:

(a) Resolving the remaining differences on the twelve proposals, with special reference to the quantum of forces to be left on each side of the cease-fire line at the end of the period of demilitarization, and

(b) The general implementation of the resolutions of the UNCIP of 13 August 1948 and 5 January 1949.

Annex I

Resolution Adopted by the Security Council on 30 March 1951 (S/2017/Rev. 1)

HAVING RECEIVED AND NOTED the report of Sir Owen Dixon, the United Nations Representative of India and Pakistan, on his mission initiated by the Security Council resolution of 14 March 1950;

OBSERVING that the Governments of India and Pakistan have accepted the provisions of the United Nations Commission for India and Pakistan resolutions of 13 August 1948 and 5 January 1949; and have reaffirmed their desire that the future of the State of Jammu and Kashmir shall be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations;

OBSERVING that on 27 October 1950 the General Council of the "All Jammu and Kashmir National Conference" adopted a resolution recommending the convening of a Constituent Assembly for the purpose of determining the "Future shape and affiliations of the State of Jammu and Kashmir"; observing further from statements of responsible authorities that action is proposed to convene such a Constituent Assembly and that the area from which such

³ U.N. doc. S/1100.

⁴ U.N. doc. S/1196.

a Constituent Assembly would be elected is only a part of the whole territory of Jammu and Kashmir;

REMINING the Governments and Authorities concerned of the principle embodied in the Security Council resolutions of 21 April 1948, 3 June 1948 and 14 March 1950 and the United Nations Commission for India and Pakistan resolutions of 13 August 1948 and 5 January 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations;

AFFIRMING that the convening of a Constituent Assembly as recommended by the General Council of the "All Jammu and Kashmir National Conference", and any action that Assembly might attempt to take to determine the future shape and affiliation of the entire State or any part thereof would not constitute a disposition of the State in accordance with the above principle;

DECLARING its belief that it is the duty of the Security Council in carrying out its primary responsibility for the maintenance of international peace and security to aid the parties to reach an amicable solution of the Kashmir dispute and that a prompt settlement of this dispute is of vital importance to the maintenance of international peace and security;

OBSERVING from Sir Owen Dixon's report that the main points of difference preventing agreement between the parties were:

(a) the procedure for and the extent of demilitarization of the State preparatory to the holding of a plebiscite, and

(b) the degree of control over the exercise of the functions of government in the State necessary to ensure a free and fair plebiscite.

THE SECURITY COUNCIL

1. Accepts in compliance with his request, Sir Owen Dixon's resignation and expresses its gratitude to Sir Owen for the great ability and devotion with which he carried out his mission;

2. Decides to appoint a United Nations Representative for India and Pakistan in succession to Sir Owen Dixon;

3. Instructs the United Nations Representative to proceed to the sub-continent and, after consultation with the Governments of India and Pakistan, to effect the demilitarization of the State of Jammu and Kashmir on the basis of the United Nations Commission for India and Pakistan resolutions of 13 August 1948 and 5 January 1949;

4. Calls upon the parties to co-operate with the United Nations Representative to the fullest degree in effecting the demilitarization of the State of Jammu and Kashmir;

5. Instructs the United Nations Representative to report to the Security Council within three months from the date of his arrival on the sub-continent. If, at the time of this report, he has not effected demilitarization in accordance with paragraph 3 above, or obtained the agreement of the parties to a plan for effecting such demilitarization, the United Nations Representative shall report to the Security Council those points of difference between the parties in regard to the interpretation and execution

of the agreed resolutions of 13 August 1948 and 5 January 1949 which he considers must be resolved to enable such demilitarization to be carried out;

6. Calls upon the parties, in the event of their discussions with the United Nations Representative failing in his opinion to result in full agreement, to accept arbitration upon all outstanding points of difference reported by the United Nations Representative in accordance with paragraph 5 above; such arbitration to be carried out by an Arbitrator, or a panel of Arbitrators, to be appointed by the President of the International Court of Justice after consultation with the parties;

7. Decides that the Military Observer group shall continue to supervise the cease-fire in the State;

8. Requests the Governments of India and Pakistan to ensure that their agreement regarding the cease-fire shall continue to be faithfully observed and calls upon them to take all possible measures to ensure the creation and maintenance of an atmosphere favourable to the promotion or further negotiations and to refrain from any action likely to prejudice a just and peaceful settlement;

9. Requests the Secretary-General to provide the United Nations Representative for India and Pakistan with such services and facilities as may be necessary in carrying out the terms of this resolution.

Annex III

Statement of the President of the Security Council on 31 January 1952⁵

. . . Speaking as President of the Security Council, I have the impression that a very clear and positive conclusion emerges from the practically unanimous statements made during the present discussion.

The Council feels that Mr. Graham has made real progress in that some measure of agreement was reached between the parties on various points, and that he should continue his negotiations in pursuance of his terms of reference under the resolutions of 30 March 1951 [S/2017/Rev. 1] and 10 November 1951 [S/2392] in order to remove the remaining difficulties which he has described.

It being understood that any member of the Council has the right to ask for a Council meeting to be convened at any time to deal with the question which is now being discussed, the sense of the meeting is also that Mr. Graham should submit a report to us, which we hope will be final.

Although we cannot strictly limit the negotiations which, to have every chance of success, must be flexible, I feel I can say that the Council definitely expects to receive a report within two months, that is by 31 March.

I believe that I am correctly interpreting the feelings of my colleagues in stating that in these circumstances Mr. Graham, acting under the resolutions I have mentioned, will continue negotiations under the terms which I have just specified and which reflect the statements made in the Council.

⁵ Official Records of the Security Council, Seventh Year, 572nd meeting.

Report of U.N. Command Operations in Korea

THIRTY-EIGHTH REPORT: FOR THE PERIOD JANUARY 16-31, 1952¹

U.N. doc. S/2593
Transmitted April 9, 1952

I herewith submit report number 38 of the United Nations Command Operations in Korea for the period 16-31 January, inclusive. United Nations Command communiqués numbers 1145-1160 provide detailed accounts of these operations.

Discussion of the airfield question under agenda item 3 continued in sub-delegation meetings during the major part of this period. The United Nations Command delegates patiently and explicitly reiterated their position as outlined in report number 37. At the session of 18 January the United Nations Command delegation pointed out the strange logic of Communists who, while accusing the United Nations Command of desiring to prolong a state of war, would create dangerous tensions during an armistice by insisting on the right to build military airfields. Again on 24 January the United Nations Command delegation asked the Communists to state clearly whether they intended to increase their military air capability during the armistice. Again the Communists evaded answering this question.

On 25 January in an earnest endeavor to break the deadlock, the United Nations Command sub-delegation proposed to the Communists that staff officers of each side, meeting jointly, immediately begin drafting that part of the armistice agreement pertaining to agenda item 3 on which tentative agreement had been reached and that discussion of the airfield issue be suspended pending report by the staff officers of progress made. This proposal was accepted by the Communists on 27 January at which time the United Nations Command delegate made the following statement: "We are prepared to proceed on this basis with the clear understanding that we reserve the right to return to the subject of airfield restrictions as soon as the sub-delegations reconvene. We hereby record our unalterable intention to do so".

The staff officers held their initial meeting on 27 January at which time the United Nations Command representatives presented a draft of the armistice agreement pertaining to agenda item 3, a copy of which is attached hereto.² This draft was based on the three agreed principles stated in United Nations Command report number 36 and the following additional agreed principles:

"4. In order to ensure the stability of the military armistice so as to facilitate (the attainment of a peaceful settlement through the holding by both sides of a political conference of a higher level), both sides undertake not

to introduce into Korea any reinforcing military personnel, combat aircraft, armored vehicles, weapons and ammunition after the armistice agreement is signed and becomes effective. Such rotation of military personnel as within the limit agreed upon by both sides shall be reported to the military armistice commission so that the supervisory organ of (neutral nations) may be entrusted to conduct on-the-spot supervision and inspection, which shall be carried out at the ports of entry in the rear agreed upon by both sides.

"5. Each side shall designate an equal number of members to form a military armistice commission to be responsible for supervising the implementation of the armistice agreement and for settling through negotiation any violations of the armistice agreement. The functions of supervision and inspection as stipulated in the armistice agreement shall be carried out in accordance with the following two provisions:

"A. Within the demilitarized zone, the military armistice commission utilizing joint teams directly despatched by it shall be responsible.

"B. Outside the demilitarized zone, at the ports of entry in the rear as agreed upon by both sides and at the places where violations of the armistice agreement have been reported to have occurred, the supervisory organ of representatives of (neutral nations) shall be entrusted to be responsible. Upon the request to the supervisory organ of (neutral nations) by both sides or either side on the military armistice commission for investigation of a violation of the armistice agreement, the supervisory organ of (neutral nations) shall carry out the inspection.

"6. Both sides agree to invite (neutral nations) acceptable to both sides which have not participated in the Korean war, to send, upon their consent, an equal number of representatives to form a supervisory organ to be entrusted by the military armistice commission to be responsible for carrying out the functions of supervision and inspection as stipulated in paragraph four and five B of this proposal. Upon the request by both sides or either side on the military armistice commission for carrying out these functions, the supervisory organ of (neutral nations) shall despatch immediately inspection teams to carry out the functions of supervision and inspection as stipulated in the armistice agreement at ports of entry in the rear as agreed upon by both sides, and at places where violations of the armistice agreement have been reported to have occurred outside the demilitarized zone, and shall report on the results of supervision and inspection to the military armistice commission. In performing their above-stated functions, the inspection teams of (neutral nations) shall be accorded full convenience by both sides over the main lines of communication and transportation as agreed upon by both sides."

At the close of the period staff officers of both sides were meeting in an effort to arrive at a mutually acceptable draft of armistice agreement under agenda item 3 with the understanding that the airfield issue would be reopened when the item 3 sub-delegation reconvenes.

¹ Transmitted to the Security Council by Ambassador Warren R. Austin, U.S. representative in the Security Council, on Apr. 9. Texts of the 30th, 31st, and 32d reports appear in the BULLETIN of Feb. 18, 1952, p. 266; the 33d report, *ibid.*, Mar. 10, 1952, p. 395; the 34th report, *ibid.*, Mar. 17, 1952, p. 430; the 35th report, *ibid.*, Mar. 31, 1952, p. 512; and the 36th and 37th reports, *ibid.*, Apr. 14, 1952, p. 594.

² Not printed here.

With the gradual development of discussion on agenda item 4 relating to prisoners of war, the Communists maintained an adamant position that the individual prisoner of war must be repatriated after an armistice, whether or not he desires such action. They have insisted that the plain wording of the Geneva Convention supports their view. They ignore the fact that forced repatriation is completely repugnant to the basic humanitarian concept of the Geneva Convention, the concept of protection for the individual. Without admitting openly they imply that in the matter of repatriation of prisoners of war the Geneva Convention is designed to protect the interests of the state rather than the individual. In opposition to their propaganda attempts to cloud and distort the issues, the United Nations Command has resolutely held that the principle of freedom of choice stands openly and conclusively as an equitable and humane solution to the problem of repatriation. The United Nations Command remains opposed to the inadequate, inhumane and revengeful doctrine of forced repatriation which the Communists advocate.

With equal emphasis, the United Nations Command presented, as logically and cohesively as possible, the further provisions of its proposal. In addition to establishing sound, workable solutions for the exchange of prisoners of war, it provides for the return to their homes of persons displaced by the war. By using prisoner of war exchange facilities, the unfortunate civilian victims of the conflict could be returned to their homes swiftly with a minimum of inconvenience to the individual and to the military forces concerned. The United Nations Command proposal insures that, by the application of the voluntary repatriation clause, those persons who prefer to remain where they had been carried by the flow of war would be permitted to do so.

As a further indication of its good faith and sincere desire to effect an exchange of prisoners which would be most advantageous to each side, the United Nations Command presented the Communists with newly revised rosters, in Korean and Chinese, of all the prisoners it had reported initially. Included on these lists was all available information on each individual listed. The Communists were informed that additional supplementary data on all the prisoners taken, since the start of hostilities, by the United Nations Command was available on short notice and would be provided in return for similar data from the Communists on United Nations Command and Republic of Korea prisoners taken by that side.

In view of the Communists' reluctance to make substantial effort to reach a satisfactory solution and their failure to take any positive steps whatsoever to resolve differences, despite their oft-repeated assertions that they do, in fact, desire early agreement, the United Nations Command decided to take a determined step toward expediting agenda item 4. After explaining carefully our belief that both sides must take positive steps to resolve the issues which have thus far prevented agreement, the United Nations Command presented a draft of an agreement for the disposition of prisoners of war and civilians which incorporates all of the items considered essential for a complete solution. (A copy of the proposed wording of this draft is appended hereto.) The initial reaction of the Communists, as was expected, indicated no agreement to those parts of the United Nations Command draft which touched on voluntary repatriation.

The Communists claimed that prisoner of war camp number eight, Kang-Dong, was attacked by United Nations Command aircraft at 2100 hours, 14 January and that total prisoner of war casualties included twenty killed and fifty-five injured. The Communists admitted that the camp was not marked as a prisoner of war installation. The United Nations Command lodged an immediate protest of the blatant disregard by the Communists of the basic humanitarian principles of the Geneva Convention, specifically Article 23, which requires that all areas holding prisoners of war be plainly marked with identifying symbols and that such areas not be located at or near strategic and tactical military targets.

The United Nations Command further demanded that all prisoner of war and civilian internee camps be marked without delay so as to be visible from the air and that the exact locations of such installations be reported to the delegation. After some delay and weak excuses, the Communists agreed to United Nations Command demands and presented data which they allege shows exact locations of prisoner of war camps in their area. A careful investigation by United Nations Command of the alleged bombing incident indicated only that allied planes were in the vicinity of Kang-Dong for the purpose of attacking military targets in the area at the time the Communists claimed the attack took place. Failure of Communists to properly mark or to furnish accurate location of prisoners of war camps made it impossible to determine whether United Nations Command aircraft attacked the prisoner of war camp at Kang-Dong.

At the request of the Senior Delegate of the International Committee of the Red Cross the United Nations Command provided transportation for two delegates to the conference site at Panmunjom where they attempted to arrange an interview with the commanders of the Korean Peoples Army and the Chinese Peoples Volunteers. With full respect for the neutral position which the International Committee of the Red Cross has traditionally maintained, the United Nations Command was happy to be of assistance to that organization and considers it regrettable that the Communists, without valid reason and with deliberate disregard of the humanitarian concepts epitomized by the International Committee of the Red Cross, do not see fit to permit them access to the prisoner of war camps in their territory. Their continued prevention of prisoner of war relief activities remains completely at variance with the concepts of the civilized world.

No significant changes were apparent in the character of enemy activity across the Korean battle front as contact was limited primarily to frequent patrol clashes, usually of short duration, and minor probes by small enemy detachments. Local United Nations Command raids into forward enemy positions were met by determined opposition and were followed by swift enemy counterattacks. These raids served the multiple purpose of inflicting casualties, capturing prisoners, securing intelligence, and maintaining a peak of United Nations Command combat efficiency, as well as providing a physical and psychological deterrent to any hostile plans for aggressive action. Hostile troop dispositions and front lines remained unchanged although the enemy effected the relief of two of his front line divisions. As a result of dwindling guerrilla strength, both the numbers and size of dissident groups engaged by Republic of Korea forces decreased as the current anti-guerrilla operations entered its ninth week.

Patrol activity on the western front resembled that of recent periods. United Nations Command elements conducted both day and night raids in the Punji, Kigong and Mabang areas. These aggressively conducted, small-unit operations invariably encountered determined enemy opposition supported by strong artillery and mortar fires. The largest enemy unit thus engaged was one of battalion strength which tenaciously resisted a United Nations Command raid in the Mabang area on 24 January. Reinforced enemy counter action followed each instance wherein a United Nations Command raiding group initially succeeded in forcing an enemy withdrawal. The enemy chose not to employ his armor in these defense operations, although both air and ground observation disclosed the continued presence of hostile armor on the western front. Each such observation was immediately followed by air and artillery strikes which forced the enemy to keep his armored elements well hidden, and prevented their concentration in any one locale. The enemy continued the periodic rotation of units in contact by effecting the relief of a division of the Forty Second Chinese Communist Army in the Sagimak area.

United Nations Command-initiated patrol clashes constituted the major portion of ground action on the central

and eastern fronts. Hostile action was limited to infrequent patrols and probes during the hours of darkness by small enemy groups. The number of small-unit actions on these fronts showed a decrease as contrasted to previous periods, due largely to the weather conditions which adversely affected ground operations in the more mountainous parts of the battle line, particularly on the eastern front. Snow, low overcast, fog and haze restricted ground operations during seven days of the period although United Nations Command elements conducted two highly successful raids on enemy positions in the Mulguji and Yuusil areas on 21 and 25 January, respectively. The only change in enemy unit dispositions occurred in the Mulguji area where local Chinese Communist reserves were employed in the partial relief of front-line units.

Republic of Korea forces continued to inflict telling blows on guerrilla elements in Southwestern Korea. Appreciable gains were scored despite a decrease of remunerative guerrilla targets. Of the present guerrilla strength in rear areas, it is estimated that only 2,000 are armed. Reports further indicate that those who have been killed and captured during the current operations include a substantial number of local leaders. Partially as a result of this factor and the heavy casualties suffered, the remaining guerrilla elements appear extremely reluctant to engage Republic of Korea forces. These conditions, coupled with poor communications among the guerrilla bands, sharply curtail their capabilities.

Recent prisoners state that the enemy is continuing his efforts to maintain and improve his military capabilities. Statements of several Chinese Communist prisoners point to a reorganization of combat units which apparently includes efforts to augment their fire power. North Korean prisoners' statements during the past three months, similarly reflect an increase in the logistical position, morale and unit troop strength of the North Korean Corps on the eastern front. These reports clearly indicate that the enemy is determined to maintain and improve his military potential in Korea. Despite the evidence of preparations for continued hostilities, the enemy thus far fails to display any definite inclination for early offensive action.

United Nations Command naval forces operating in the Sea of Japan, the Yellow Sea, and the Gulf of Korea expended ammunition at a higher rate during the closing weeks of January than the maximum rate recorded during World War II as the blockade and patrol ships shelled major coastal transportation hubs and enemy positions at both ends of the battle line with a nearly continuous barrage of naval artillery fire. Coastal rail and highway routes and bridges were cut repeatedly by night and day attacks aimed at preventing the enemy from improving his position with respect to supplies.

The carrier forces operating on both coasts concentrated their efforts on the interdiction of enemy transportation and continued to increase the number of rail cuts. Their planes also assisted in the destruction of enemy supply dumps and small craft, and in attacks on enemy troops in support of United Nations Command ground forces. Land based Marine squadrons divided their attacks between enemy troops, gun positions, and transportation in the enemy rear areas with excellent results. Although enemy anti-aircraft and small arms fire succeeded in inflicting losses on Naval and Marine squadrons, brilliant rescues by helicopters and by ships picketing the North Korean ports, saved the pilots of a number of stricken aircraft.

Enemy coast artillery continued to duel with United Nations Command ships, but shipboard batteries silenced enemy gun positions with the help of air spotting. Quick maneuver and heavy return fire prevented damage to or casualties on United Nations Command surface ships during the period. Check minesweeping and the destruction of frequent illegal floater mines encountered were continued by surface forces, while patrol planes made daily reconnaissance of the waters surrounding Korea. On the west coast hundreds of rockets were fired into the defense positions around the sea approaches to Chin-nampo, inflicting numerous troop casualties. Night bom-

bardments and heckler missions harassed enemy soldiers at battle line and in rear positions along both coasts.

Amphibious forces carried out replenishment by sea of United Nations Command troops near the coasts and supplied the garrisons of United Nations Command-held outpost islands off the North Korean coasts. Among their unusual tasks was the recent evacuation of nearly 20,000 refugees from west coast Korean islands where the Koreans had gone to escape Communist rule.

The United Nations Command air offensive against North Korea was continued as land based aircraft flew a total of 11,999 sorties in support of United Nations Command operations. Additional attack restrictions and precautions were initiated in order to reduce the chance for accidental injury by friendly aircraft of United Nations Command troops held in Communist prisoner of war camps.

The primary objective of the air attack was the systematic interdiction of enemy rail and highway lines of communication, augmented by attacks on rolling stock, locomotives, vehicles and supply installations along the main arteries for enemy logistics. The shift of some railroad interdiction to lines further north, as reported during the first half of January, was continued. Several successful daylight fighter-bomber attacks were made on the Sinanju-Chongju and Kunu-Ri-Huichon lines. These were complemented by night medium bomber strikes against the key rail bridges at Chongju and Sinhungdong and by light bomber attacks on bridge repair crews.

The repair and reconstruction of enemy airfields has slowed down noticeably. Uiju and Sinuiju, both of which are located near the Yalu River, were the only major serviceable airfields in North Korea. The latter was successfully attacked by medium bombers on the night of 26-27 January. All other North Korean bases suitable for operation of jet aircraft remained inactive and unserviceable so that no new attacks were required.

Air-to-air fighting between Communist MIG-15 interceptors and friendly fighters was again spotty. More than 2,000 MIG sorties were observed during the period; however, only a fraction of this number were actually aggressive enough to seek combat with United Nations Command aircraft. Although usually heavily outnumbered, formations of United Nations Command aircraft destroyed or damaged thirty-one MIGs while flying counter air sweeps deep into enemy territory. The heaviest day of air-to-air activity was 25 January when friendly pilots destroyed ten and damaged four of the 297 MIGs sighted. Three of the kills were achieved by pilots who were flying air cover for an unarmed United Nations Command helicopter engaged in the rescue of a friendly pilot who had crash-landed deep in enemy territory.

The requirement for close combat air support continued on a reduced scale due to the general reduction in ground force activity all along the front; however, United Nations Command reconnaissance and fighter-bomber aircraft regularly patrolled behind the enemy lines in search of ground targets and information about enemy troop dispositions. These operations accounted for an estimated 348 enemy casualties, ninety-seven destroyed or damaged gun positions and eighty-seven destroyed and damaged bunkers. In addition, medium bombers regularly made night attacks on Communist battle area positions designated by United Nations Command ground forces.

The United Nations Command requirements for high priority movement of personnel and supplies by air remained high as combat cargo aircraft flew 3,036 sorties to airlift 7,018 tons of supplies and equipment to Korean-based United Nations Command units. This tonnage includes United Nations Command sick and wounded who were transported between bases in Japan and Korea.

There were no reports of enemy aircraft operating over United Nations Command positions during the period.

During the annual celebration of the Lunar New Year, United Nations Command leaflets, loudspeaker broadcasts, and radio broadcasts emphasized United Nations efforts to restore peace to the Korean people in the New Year. These media reminded North Korean and Chinese

Communist soldiers of the callousness with which their comrades' lives were sacrificed during the past year by the leaders of the Communist aggression. United Nations proposals for voluntary repatriation of prisoners of war were explained and contrasted with Communist impressment of captured Korean soldiers into an alien-controlled Army, forcing them to bear arms against their own country. Continuing attention was given to dissemination of detailed factual reports of the constructive United Nations Command proposals in the armistice negotiations and prolonged Communist obstruction of efforts to restore peace.

A total estimated dollar value of supplies and equipment of nearly \$230,000,000 was programmed in support of the United Nations Command for Korean relief and economic aid program during the period of 1 October 1950 to 31 December 1951. Of this total, supplies and equipment worth nearly \$90,000,000 have been delivered. The total includes \$208,225,248, programmed out of United States appropriated funds; \$81,379,029 worth of supplies and equipment have been delivered. Also included in the total are contributions from other United Nations member nations and voluntary relief agencies with an estimated dollar value of \$21,494,440, of which supplies worth \$17,224,033 have been delivered. The above figure of \$230,000,000 includes some 21.7 million dollars of supplies financed with ECA funds.

It was reported that during the latter part of December, the number of refugees for whom suitable winter housing had yet to be provided was 2,383 in Kangwon-Do and 1,137 in Chungchong-Namdo. Besides these, there were a large number of arrivals in Cholla-Namdo from some of the islands off the west coast, south of the 38th parallel. In general, it may be stated that the refugee situation was fairly well stabilized in the eastern provinces, but that in the west there was still considerable movement and shifting within and between provinces.

In the field of public health a low incidence of communicable diseases was reported, pointing to the efficacy of the nationwide immunization program which is being actively prosecuted. A *bacillus calmette guerin* tuberculosis control program is scheduled to start immediately in the Seoul area under direction of Danish medical personnel working with the United Nations Civil Assistance Command, Korea. The Italian Hospital Unit is co-operating and has authorized the use of its facilities.

Inflation continued to be a very serious threat to the war-disrupted economy of the Republic of Korea. The United Nations Command is taking positive action to do all possible to prevent hyper-inflation.

U.S. Delegations to International Conferences

South Pacific Commission

The Department of State announced on April 22 that the ninth session of the South Pacific Commission will convene at Nouméa, New Caledonia, on April 28, 1952. The United States delegation is as follows:

Acting Senior Commissioner:

Milton Shalleck, Attorney and Counselor at Law, New York, N.Y.

Acting Commissioner:

Karl C. Leebrick, Alternate Commissioner; Liaison Officer, Trust Territory of the Pacific Islands

Advisers:

Philip E. Haring, American Consul, Nouméa, New Caledonia

R. S. Herman, Secretary of Guam

Claude G. Ross, Office of Dependent Area Affairs, Department of State

The South Pacific Commission was established by an agreement which entered into force on July 29, 1948. It is a consultative and advisory body to the six member governments (Australia, France, the Netherlands, New Zealand, the United Kingdom, and the United States) in matters affecting the economic and social development of the 17 non-self-governing territories in the South Pacific under the scope of the commission. (The scope of the commission was extended to include Guam and the Trust Territory of the Pacific Islands by an agreement signed by the six member governments on November 7, 1951.¹) American Samoa, Guam, and the Trust Territory of the Pacific Islands are the territories under U.S. administration within the purview of the commission. Sessions of the commission are held biannually; the last (eighth) session was held at Nouméa, October 29-November 9, 1951.

The agenda for the ninth session is devoted principally to internal administrative matters of the commission, and includes consideration of such items as the commission's work projects and activities; extension of projects to Guam and the Trust Territory of the Pacific Islands; annual fiscal statement for 1951; audit of commission books; draft financial regulations; staff rules, salaries, and allowances; and publications, including the draft annual report for 1951.

Executive Committee of PASO

The Department of State announced on April 18 that the sixteenth meeting of the Executive Committee of the Pan American Sanitary Organization (PASO) will be held at Washington April 21-30, 1952. Since H. van Zile Hyde, U.S. representative on the Executive Committee, will be unable to attend the meeting, the alternate representative, Frederick J. Brady, assistant chief, International Organizations, Division of International Health, Public Health Service, Federal Security Agency, will serve as acting U.S. representative. Dr. Brady will be assisted by the following Department of State advisers:

William G. Bowdler, Division of International Administration

Howard B. Calderwood, Office of United Nations Economic and Social Affairs

Simon N. Wilson, Office of Regional American Affairs

The Executive Committee, which was set up by a directive of the Twelfth Pan American Sanitary Conference (Caracas, January 12-24, 1947), performs interim executive and advisory functions between meetings of the Directing Council of the Pan American Sanitary Organization. It

¹ BULLETIN OF Dec. 24, 1951, p. 1038.

is composed of the representatives of seven governments elected by the Directing Council for 3-year terms.

The agenda for the sixteenth meeting of the Executive Committee includes consideration of such matters as adoption of the program of meetings; financial report of the director and report of the external auditor for the financial year 1951; proposed program and budget of the Pan American Sanitary Bureau for 1953 and 1954; reports of the Permanent Committee of the Executive Committee on (a) revision of the constitution of the Pan American Sanitary Organization and (b) amendments to the rules of procedure of the Directing Council; amendments to the staff rules of the Pan American Sanitary Bureau; relations between the Pan American Sanitary Organization and nongovernmental organizations; and plan of long-range health programs.

THE CONGRESS

President Urges Early Action On St. Lawrence Seaway Project

[Released to the press by the White House April 19]

The President on April 19 sent identical letters concerning construction of the St. Lawrence Seaway to Tom Connally, Chairman, Committee on Foreign Relations, U.S. Senate, and Charles A. Buckley, Chairman, Committee on Public Works, House of Representatives. The text of the President's letter follows:

MY DEAR MR. CHAIRMAN: I am writing to urge that your committee act favorably at an early date on legislation approving the 1941 Agreement between the United States and Canada, and authorizing the United States to join with Canada in constructing the St. Lawrence seaway and power project.

As I informed the Congress in January,¹ the question before the Congress now is not whether the seaway should be built, but whether the United States should share in its construction, operation, and control. The Canadian Government is ready and willing to build a seaway from Montreal to Lake Erie on the Canadian side of the boundary, if the Congress does not authorize the United States Government to participate in building the joint Canadian-U.S. seaway agreed to in 1941. It would be extremely unwise and unrealistic for the Congress voluntarily to abandon the opportunity for the United States to jointly control a waterway so vital to our security, our commerce and industry, and our relations with our Canadian neighbors. And yet, if the Congress does not act soon on the legislation before it, that will be the result, for we cannot ask the Canadians to delay much longer.

In addition to the seaway, the St. Lawrence project will yield very large benefits in hydroelectric power. The same dams that create a navigation pool in the International Rapids section of the St. Lawrence River, will yield 12.6 billion kilowatt hours of electric energy per year—half to each country—energy that is badly needed in both countries. In order to build these works, if the Congress does not enact the legislation now before it (or other appropriate legislation), it will be necessary for the United States and Canada jointly to apply to the International Joint Commission—a body set up under the Boundary

THE FOREIGN SERVICE

First U.S. Ambassador to Postwar Japan Takes Oath of Office

Remarks by Ambassador Robert D. Murphy

[Released to the press April 21]

I am deeply grateful to the President and to the Secretary of State for this mark of their confidence in appointing me the first U.S. Ambassador to postwar Japan. I approach this delicate task in great humility. At the same time I hope to profit by the splendid contributions toward the reconstruction of Japan which have been made by General MacArthur, John Foster Dulles, General Ridgway, and the host of devoted Americans who have served in Japan since the end of hostilities. I shall hope to maintain the fine tradition established years ago by Ambassador Grew.

I entertain the greatest admiration for the Japanese people, the fine spirit of cooperation shown by them in achieving partnership in the free world community and in the task of rebuilding their own country. They are working with the United States in full accord and harmony.

I am not oblivious to the innumerable and difficult problems inherent in this mission. They relate to the preservation of peace, the maintenance of security from aggression, and economic rehabilitation. Basically these problems are faced by peoples the world over, and I only hope the small experience I have had in dealing with them in Europe will avail me in Japan. I intend to do everything in my power to bring about an ever closer understanding between the peoples of our two countries.

Waters Treaty of 1909 with authority to approve such projects. In accordance with an exchange of notes early this year,² copies of which were transmitted to the Congress in January, preparatory work has been proceeding on such a joint application.

On Monday of this week, Mr. Lester B. Pearson, the Canadian Secretary of State for External Affairs, together with other Canadian and United States officials, met with me here in Washington. Mr. Pearson expressed the desire of the Canadian Government to proceed rapidly with the construction of the project—both the seaway and power phases. The Canadians agree with us that the quickest and most desirable way to get started on the project is for the Congress to approve the joint development plan now before it.

In order to lose no time if the Congress does not act, however, we agreed at Monday's meeting that the application to the International Joint Commission will be completed and filed at an early date. Thus the arrangements are nearly completed for proceeding with the St. Lawrence project by an alternative means if the Congress fails to act soon on the 1941 Agreement.

I hope that these alternative arrangements will not have to be followed through, because it is so obviously to the advantage of all our people—including the railroad and port interests that have been opposed to the project in the past—for the United States to participate fully in the construction and control of the project. That can only be done if the Congress acts. I cannot believe the Congress will let the opportunity pass to safeguard and advance the vital interests of our people in the St. Lawrence River.

We need the seaway and the power. We need them as soon as the necessary works can be built. The best, the simplest, and the quickest way to get them is through legislation by the Congress. Full hearings have been completed before the appropriate committees of the Senate and the House. I strongly recommend that your committee and the Congress promptly complete action on this vital matter.

Very sincerely yours,

HARRY S. TRUMAN

Aid to Netherlands To Continue Under Battle Act Provision

[Released to the press by the White House April 23]

The President has sent the following identical letters to Kenneth McKellar, Chairman, Committee on Appropriations, United States Senate; Richard B. Russell, Chairman, Committee on Armed Services, United States Senate; Tom Con-

² *Ibid.*, p. 234.

nally, Chairman, Committee on Foreign Relations, United States Senate; Clarence Cannon, Chairman, Committee on Appropriations, House of Representatives; Carl Vinson, Chairman, Committee on Armed Services, House of Representatives; and James P. Richards, Chairman, Committee on Foreign Affairs, House of Representatives:

I have been advised that a small quantity of petroleum exploration equipment was shipped from the Netherlands to Poland after the effective date of the Mutual Defense Assistance Control Act of 1951 (the Battle Act). This oil drilling equipment is an item listed by the Administrator, pursuant to Title I of the Battle Act, as one embargoed in order to effectuate the purposes of the Act. Any shipment of any such items listed automatically results in all military, economic and financial assistance to the Netherlands being cut off, unless I determine, in accordance with the powers granted to me by Section 103 (b) of the Act, that "cessation of aid would clearly be detrimental to the security of the United States." The Administrator of the Act has advised me that aid to the Netherlands should be continued. He made this recommendation after consultation with representatives of the Departments of State, Treasury, Defense, Interior, Agriculture, Commerce; the Office of Defense Mobilization, the Mutual Security Agency, the Atomic Energy Commission and the Central Intelligence Agency.

I am informed that the facts are as follows: The shipment, which took place recently, involved small quantities of oil drilling equipment. Technical experts in this country believe that this amount of this particular type of equipment would not add significantly to the capacity of the Soviet bloc to explore for, or to produce petroleum.

The shipment is the final one against binding obligations incurred in August 1949. The original contract was entered into in good faith by the Netherlands shipper and the Polish government enterprise 2 years before the passage of the Mutual Defense Assistance Control Act and prior to any international understanding that the equipment in question is of primary strategic importance. At the time the original transaction was negotiated, the Dutch shipper had obtained the consent of his Government to complete the contract and subsequently had obtained a Dutch export license. By the time the embargo list was established, pursuant to Title I of the Battle Act, and became operative on January 24, 1952, the Dutch equipment had been practically paid for by the Polish enterprise. Before the final shipment took place, officers of the U.S. Government held discussions with the Government of the Netherlands in an effort to find a means of avoiding this shipment. The Netherlands Government considered that this equipment would not significantly contribute to the military potential of the Soviet

bloc (a conclusion in which our U.S. technical experts agree). It also took into account the fact that the shipment had been virtually paid for and represented the final transaction under a binding contract made in good faith more than 2 years previously. The Netherlands Government, therefore, concluded that it would not block the shipment.

Cessation of aid to the Netherlands would materially weaken the whole system of defenses now being built up under the North Atlantic Treaty. Consequently, cessation of aid to the Netherlands would be "detrimental to the security of the United States."

The Netherlands is making a substantial contribution to the mutual security of the free world. The Netherlands has been a participant in the North Atlantic Treaty defense program since its inception and, notwithstanding a most difficult domestic economic situation, has made courageous political and military decisions and has taken positive steps in order to make its participation in the program effective. The Netherlands Government has demonstrated a cooperative spirit, and has displayed a genuine sense of concern and responsibility toward the mutual defense effort.

The Netherlands Government has committed itself to make substantial contributions—industrial, financial and military—to the North Atlantic Treaty defense program. In this connection, it should be noted that the Netherlands Government is carrying out on its own initiative a strict program of internal financial controls and is reducing the level of civilian consumption in order to provide added resources for defense.

From the standpoint of military strategy, the Netherlands occupies an important position. The Dutch have shown a willingness to cooperate in coordinated planning so as to make possible the maximum use to NATO forces of Holland's strategic location. In addition, the Netherlands Government has specifically committed itself to provide a substantial number of troops, naval vessels and air units and to be responsible for their maintenance and training. However, the Netherlands' contribution to the security of the free world—and, hence, to the security of the United States—cannot, in the absence of assistance, be carried out as planned.

The Netherlands Government cooperates with the United States and other countries of the free world to prevent or limit drastically export to the Soviet bloc of items that are considered to be strategic. The Netherlands controls are well designed to effectuate understandings arrived at and are efficiently operated.

Therefore, in accordance with the provisions of Section 103 (b) of the Mutual Defense Assistance Control Act, I have directed that assistance by the United States to the Netherlands be continued. In reaching this determination, I have acted upon

the advice of the Administrator of the Mutual Defense Assistance Control Act, Mr. W. Averell Harriman, and have taken into account "the contribution of such country to the mutual security of the free world, the importance of such assistance to the security of the United States, the strategic importance of imports received from countries of the Soviet bloc, and the adequacy of such country's controls over the export to the Soviet bloc of items of strategic importance."

Very sincerely yours,

HARRY S. TRUMAN

Approval Requested for Puerto Rican Constitution

Message of the President to the Congress¹

To the Congress of the United States:

I am transmitting to the Congress for approval the Constitution of the Commonwealth of Puerto Rico, adopted by the people of Puerto Rico on March 3, 1952.²

The Constitution has been submitted to me pursuant to the Act of July 3, 1950, 64 Stat. 319 (48 U.S.C., Supp. IV, 731b-731e). This Act authorizes me, upon adoption of a constitution by the people of Puerto Rico, to transmit the constitution to the Congress if I find that it conforms with the applicable provisions of the Act and of the Constitution of the United States. I do find and declare that the Constitution of the Commonwealth of Puerto Rico conforms with the applicable provisions of the Act of July 3, 1950, and of our own Constitution.

Fully recognizing the principle of government by consent, the Act of July 3, 1950, authorized the people of Puerto Rico to organize a republican form of government pursuant to a constitution of their own choosing. The Act was adopted by the Congress of the United States "in the nature of a compact". By its own terms, the Act could become effective only when accepted by the people of Puerto Rico in a referendum.

On June 4, 1951, the people of Puerto Rico voted by a large majority to accept the Act of July 3, 1950, thereby reaffirming their union with the United States on the terms proposed by the Congress. Following the referendum, the voters of Puerto Rico elected delegates to a Constitutional Convention. The Convention convened in San Juan on September 17, 1951, and concluded its deliberations on February 6, 1952.

¹ Transmitted Apr. 22 and released to the press by the White House on the same date.

² H. Doc. 435.

The Constitution approved by the Constitutional Convention was submitted to the people of Puerto Rico in a referendum on March 3, 1952. It was adopted by an overwhelming majority.

In the course of its studies and deliberations, the Constitutional Convention made a careful analysis of the constitutions of each of the States of the Union, as well as that of the Federal Government. As a result, the Constitution of the Commonwealth of Puerto Rico contains many provisions which are common to constitutions which have been adopted by the States, as well as other provisions which are designed primarily to meet local problems.

The Constitution establishes the government of the Commonwealth of Puerto Rico with three co-ordinate branches of government, legislative, executive and judicial. The city of San Juan is designated as the seat of government.

The legislative power of the Commonwealth of Puerto Rico is vested in the legislative Assembly, consisting of a Senate composed of 27 members and a House of Representatives composed of 51 members. Members of the Senate and the House of Representatives are to be elected by direct vote at each general election for a term of four years. Both United States and Puerto Rican citizenship are requisites for election to legislative office.

Under the Constitution, the executive power of the Commonwealth of Puerto Rico is vested in a Governor, to be elected by direct vote in each general election for a term of four years. To be eligible for election as Governor, a person must be at least 35 years of age, and must have been, during the 5 years preceding the date of election, a citizen of the United States and a citizen and *bona fide* resident of Puerto Rico. The Governor is vested with the powers usually lodged in a chief executive under our form of Government, including the right to veto bills enacted by the Legislative Assembly. The Legislative Assembly may override the Governor's veto by a vote of two-thirds of the total number of members of which each house is composed.

The judicial power of Puerto Rico is vested in a Supreme Court, and in such other courts as may be established by law. The Supreme Court is designated as the court of last resort in Puerto Rico and is to be composed of a Chief Justice and four Associate Justices. The Justices of the Supreme Court are to be appointed by the Governor, with the advice and consent of the Senate of Puerto Rico, and are to hold office during good behavior. Justices now serving on the Supreme Court, who have been appointed by the President of the United States, are to continue to hold office during good behavior.

The Constitutional Convention gave careful consideration to the objective of ensuring an independent judiciary. It limited the number of Justices of the Supreme Court to five members and expressly provided that the number cannot be increased except by direct request of the Supreme

Court itself. Independence of the judiciary is further advanced by the provision of the Constitution placing responsibility for administration of the entire judicial system in the Chief Justice of the Supreme Court, who is appointed for life and removable by impeachment only.

The new Constitution contains a bill of rights which corresponds with the highest ideals of human dignity, equality and freedom. The bill of rights includes provisions which are similar to our own basic Constitutional guaranties. In addition, it contains express provisions regarding public education, conditions of labor, and the protection of private property. The bill of rights also recognizes the existence of certain human rights, but acknowledges that their full enjoyment depends upon an agricultural and industrial development not yet attained by the Puerto Rican community.

Amendments to the Constitution may be proposed by a concurrent resolution approved by not less than two-thirds of the total membership of each house of the Legislative Assembly. The amendments must be adopted by a majority of the qualified electors either in a general election or in a special referendum.

The Act of July 3, 1950, was the last of a series of enactments through which the United States has provided ever-increasing self-government in Puerto Rico.

The Treaty of Paris, which ceded Puerto Rico to the United States, was ratified and proclaimed fifty-three years ago. After a brief period of military government, the Congress in 1900 adopted the first organic act of Puerto Rico, known as the Foraker Act, which established a civil government for the Island. By making provision for a popularly-elected lower house of the legislative assembly, called the House of Delegates, the Foraker Act extended some measure of local self-government to Puerto Rico. Preponderant control of the local government of Puerto Rico was retained by the United States, however, by virtue of the President's authority under the Act to appoint the Governor, the heads of the Executive Departments, the Justices of the Supreme Court, and the eleven members of the Executive Council of Puerto Rico.

The present Organic Act of Puerto Rico, enacted on March 2, 1917, provided a substantial advance in local self-government for Puerto Rico. By creating the Legislature of Puerto Rico, composed of a popularly-elected Senate and House of Representatives, it gave the people direct control over the legislative branch of the government. Concurrently, the Executive Council created by the Foraker Act was divested of its legislative functions. An opportunity for greater participation in the formulation of executive policies was provided the people of Puerto Rico by authorizing the Governor, with the advice and consent of the insular Senate, to appoint the heads of the

executive departments, except the Attorney General and the Commissioner of Education. Authority to appoint the Governor, the Attorney General, the Commissioner of Education, the Auditor, and the Justices of the Supreme Court of Puerto Rico was reserved to the President of the United States. The Act granted full United States citizenship to the people of Puerto Rico and gave them a bill of rights. It also authorized them to elect a representative to the Congress, accredited to the House of Representatives.

In 1946, I appointed the first native of Puerto Rico as Governor, Jesus T. Pinero.

By the Act of August 5, 1947, the people of Puerto Rico were authorized to elect their own Governor. This Act also provided that the heads of all executive departments of Puerto Rico were to be appointed by the elected Governor of Puerto Rico, including the Attorney General and the Commissioner of Education. As a result of the Act, therefore, the people of Puerto Rico assumed direct responsibility and control over the executive branch of the local government. The President of the United States still retained authority to appoint the Auditor and the Justices of the Supreme Court of Puerto Rico, but even this authority will be relinquished upon approval of the Constitution of the Commonwealth of Puerto Rico.

Through the Act of July 3, 1950, providing for the establishment of a constitution government in Puerto Rico, the United States gives evidence once more of its adherence to the principle of self-determination and its devotion to the ideals of freedom and democracy. The people of Puerto Rico have accepted the law as enacted by the Congress. They have complied with its requirements and have submitted their Constitution for the approval of the Congress. With its approval, full authority and responsibility for local self-government will be vested in the people of Puerto Rico. The Commonwealth of Puerto Rico will be a government which is truly by the consent of the governed. No government can be invested with a higher dignity and greater worth than one based upon the principle of consent.

The people of the United States and the people of Puerto Rico are entering into a new relationship that will serve as an inspiration to all who love freedom and hate tyranny. We are giving new substance to man's hope for a world with liberty and equality under law. Those who truly love freedom know that the right relationship between a government and its people is one based on mutual consent and esteem.

The Constitution of the Commonwealth of Puerto Rico is a proud document that embodies the best of our democratic heritage. I recommend its early approval by the Congress.

HARRY S. TRUMAN.

THE WHITE HOUSE,
April 22, 1952.

May 5, 1952

Recent Publication

[Released by the Department of State]

Double Taxation, Taxes on Income. Treaties and Other International Acts Series 2347. Pub. 4463. 14 pp. 5¢.

Convention between the United States and Canada—Signed at Ottawa June 12, 1950; entered into force Nov. 21, 1951.

Double Taxation, Estate Taxes and Succession Duties. Treaties and Other International Acts Series 2348. Pub. 4464. 8 pp. 5¢.

Convention between the United States and Canada—Signed at Ottawa June 12, 1950; entered into force Nov. 21, 1951.

Check List of Department of State Press Releases: Apr. 21-28, 1952

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